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THE SHIFTLESS AND FLOATING CITY
POPULATION.

There are three distinct points of view for the consideration of the problems suggested by the above topic. First, there is that of the social revolutionist, who traces all shiftlessness and inefficiency as well as all poverty, to the present method of distribution, especially to such social arrangements as the state, private property or private ownership of land. The views of this class may be ignored as they have no interest in the present discussion. Second, there is the conservative citizen who accepts things as they are and sees little hope for radical improvement, who infers that because we have with us always the poor, and the shiftless, and the inefficient, we may as well support them by our present methods, who responds to all pathetic appeals upon his generosity and does not begrudge a share in his surplus to the unfortunate dependent. Citizens of this type hold the key to the situation and must be converted, and, the view to which they should be converted is the third, that of the reformer who looks for radical change in the long run and who accepts meanwhile the

necessity for remedial measures. It makes a great difference to the welfare of society whether dependents shall remain at liberty to select the manner of their support, and whether young men who are not making their living by legitimate employment are to be put in the way of becoming useful members of society.

A conspicuous historical illustration of the truth that remedial measures may be effective, is set forth in the volume of consular reports on "Vagrancy and Public Charities," issued a few years ago from the Department of State. Without attaching undue importance to the opinions or testimony of any single consul, what appears to be the large lesson of the reports is clear. Twenty years ago one of the most beggar-infested countries of Europe was Germany. Able-bodied men in alarming numbers tramped through the provinces of all states of the empire; some of them in search of work, others for love of vagabondage. In 1873, 200,000 men and boys were living as vagabonds in Germany, begging from town to town, demoralizing, and, in many instances, terrifying the rural communities.*

But, whether it was because the necessity for better organization of public philanthropy became obvious in Germany earlier than elsewhere, or because it is a trait of the German character to adopt and rapidly to extend a carefully elaborated scheme of social improvement, it is there, as the Consul-General says, that the "restraint of vagrancy and the relief of deserving indigence first received the careful study and treatment which lift benevolence from a sentiment to a science."†

The steps in the prosecution of her active policy were the formation of anti-begging societies; the provision of relief stations and lodging-houses, with a system of passes from one station to another for the man who is in search of work; the establishment of labor colonies; the general adoption of

* See Consular Report on "Vagrancy and Public Charities," p. 291.

† *Ibid.*, p. 290.

some modification of the Elberfeld system for relieving private distress, and the vigorous enforcement of the penal laws which declare, among other things, that imprisoned shall be: Every tramp and whosoever begs, or causes children to beg, or does not prevent persons from begging.

What is the result? Seventeen consuls report from different cities of Germany, and they agree in testifying to the enormous decrease in begging and increase in the efficiency of the real relief of destitution. From Munich, for example, the consul reports that "begging in the streets may be said not to exist, and vagabonds and other objectionable characters are seldom seen." From Düsseldorf: "The arrangement and maintenance of stations where food and shelter are given as an equivalent for labor have nearly done away with street begging." From Bremen: "Every person caught begging is imprisoned in the house of correction or in the workhouse for a term of four months up to two years, where they have to do the kind of work or labor to which they are best adapted. They have to obey orders strictly, but there is nothing humiliating in the treatment they receive; but, on the contrary, it is tending toward the elevation of their self-respect. A part of their earnings is reserved and paid to them when leaving the institution. About twenty-five per cent of these beggars remain incorrigible and have to be repeatedly punished and imprisoned, while the rest of them become self-supporting members of society." These extracts are representative of the evidence furnished by the reports.

Contrast them with but two quotations about countries in which the conditions twenty years ago were no worse than in Germany, but in which remedial measures have not been employed. And these, also, are typical. First Sicily:

"No country, perhaps, has a greater percentage of beggars than Italy, and in no part of Italy are beggars so painfully numerous as in Sicily, where all public buildings, churches, banks, theatres, hotels, and approaches thereto, as well as streets, promenades, and

parks, are teeming with beggars, whose importunities are as constant and general as they are annoying. In fact, so numerous are they and conspicuous that one is given the impression that half the population is begging; but although begging is so prevalent, the class of roving beggars known as 'tramps' is unknown here for two reasons: one, that no Sicilian beggar has the energy to travel from place to place, and the other the certainty of the place to which he might go being as thoroughly infested and fully occupied as that from whence he came."*

From Spain:

"In this country vagrants or tramps are not controlled at all. They seem to be indigenous to the soil, growing spontaneously and multiplying. Without them Spain would be lonesome and politeness would lose its most earnest devotees. Tramps regulate themselves. They are governed by the law of demand and supply, and by playing upon the heartstrings of their fellowmen, enjoy life without its burdens. They have no notes to pay, no bills to meet, because, fortunately for them, nobody will give them credit; no responsibilities, no cares, no debts, no social standing to maintain, so, with crusts of bread and small pieces of fish, they satisfy the cravings of hunger and rest sweetly upon stone steps. A happy child of nature is the Spanish tramp. He is a model for all other tramps; a genius in his line of business, and a perfect success in his calling. Of course the great body of all tramps are professionals. Who is worthy and who is not? that's the question—nobody knows and nobody seems to care, so the tramp tramps on, becoming bolder in his demands and multiplying like the sands of the sea, while the pockets of the patient public are emptied and the people endeavor to smooth their irritated nerves; nothing is done, however, to arrest the evil."*

What is desired is not that we should attach our faith solely to repressive and correctional measures, but that we should use them in their place, and learn where they belong in the general scheme of educational and social progress. A study of the present status of vagrancy in New York City is especially instructive.

Until within a few years, the policy of that city resembled that of Spain more nearly than that of any enlightened city

* Report of Consul at Palermo.

† Report of Consul at Malaga.

of Northern Europe. Vagrants crowded to the city in vast numbers, especially in the early autumn. If unable to pay for a cheap lodging they were entertained in a free police station lodging-house. They were allowed to beg on the sidewalks and from door to door, with little molestation. What they obtained was spent largely on beer or whisky with which went a free lunch. When at the lowest ebb they sank into the stale-beer dive—and so they lived. At election times they were freely employed in numerous districts, and political influence secured speedy release from the workhouse if they happened to be arrested and committed. Under such favorable conditions, the number of the floating and shiftless steadily grew, and became increasingly dangerous.

Since the advent of the present city administration, there have been certain changes out of which it is now hoped that a general policy for grappling with the whole problem may be formulated.

I. The police stations have ceased to provide lodgings. These pest-holes of discomfort, filth and contagion have given way to a municipal lodging-house, with compulsory shower baths, disinfection of clothing, a comfortable bed, supper and breakfast, investigation of all comers and a liability to commitment to the workhouse for all who prove to be vagrants, and a return to their homes at the expense of the state for those who are found to have legal residence elsewhere, and who, in the opinion of the authorities, should be thus returned. This change in the method of dealing with those who claim a night's shelter from the city, is alone cause for a considerable amount of rejoicing.

II. The cumulative-sentences law is another long step in advance. Under this law, magistrates commit to the workhouse for vagrancy, disorderly conduct and drunkenness, as heretofore, but they do not determine the sentence. The first commitment is for five days, the second for twenty, with subsequent progressive lengthening of the term up to

a period of six months. In the case of vagrancy, however, the Commissioner of Correction, even for the first offence, is authorized to fix the term at any period between five days and six months, and through several months of the past winter such sentences were uniformly for three months. Every morning about twenty vagrants were committed to the workhouse from the municipal lodging-house and a somewhat smaller number returned to their homes by the Department of Charities at the expense of the state.

III. The new registration and election laws have made the former traffic in votes impossible. In the election of last November, although a large amount of money is supposed to have been expended—for educational work—there was practically no fraudulent voting such as was notoriously frequent a few years ago. This was partly because of the better law, partly because of police vigilance.

IV. The Raines liquor law, prohibiting the free lunch, has made life more expensive for the New York vagrant. This can hardly be said to affect the professional beggar who is willing to master the arts of his calling and to work at it persistently in all kinds of weather. Such a one can easily clear several dollars in a good day. But the genuinely shiftless and floating vagrant, who lives on a few cents and unorganized charity, is sadly discouraged by the necessity of paying for his food separately. If the provision is maintained* it will certainly make easier the task of dealing with this kind of dependent.

V. The stale-beer dives, of which Mr. Riis has given the best description, have disappeared within a very short time by the general introduction of a more effective apparatus for drawing the beer from kegs. These places were generally called two-cent restaurants. Doctored, unlicensed beer was their chief ware. Sometimes a cup of coffee and a stale roll might be had for two cents. I add a few words from the description in Riis' "How the Other Half Lives"—

* Since the above was written this provision has been strengthened.

"The men pay the score. To the women—unutterable horror of the suggestion—the place is free. The beer is collected from the kegs put on the sidewalk by the saloon-keeper to await the brewer's cart and is touched up with drugs to put a froth on it. The privilege to sit all night on a chair, or sleep on a table or in a barrel, goes with each round of drinks. Generally an Italian, sometimes a negro, and occasionally a woman runs the dive. Their customers, alike homeless and hopeless in their utter wretchedness, are the professional tramps, and these only. The meanest thief is infinitely above the stale-beer level. Once upon that plane there is no escape. To sink below it is impossible; no one ever rose from it."

This was written in 1890. I have it upon the same authority * that for the reason I have indicated, these dives have absolutely disappeared. There is no longer stale-beer left in the kegs, and as it was for this they came, the customers have forsaken them and the dens themselves have gone as if by magic. There remain many kinds of demoralizing and infamous places; but the stale-beer dive, the worst of them all, is no longer to be found upon the island of Manhattan.

VI. Finally, the police department last spring opened a vigorous crusade against street mendicancy. Ever since its foundation, the Charity Organization Society has employed one or more special officers to patrol the streets in search of beggars, warning those who were seen for the first time, referring them to the offices of the society or to the Department of Charities as seemed the more suitable, and arresting old offenders or any who were clearly vagrants. The chief of police has now detailed twelve men for this work. They patrol in citizens' clothes, and their instructions are identical with those under which the officers of the society have worked. Persons who are believed to be residents and whose families are in need, are referred to the nearest office of the Charity Organization Society; all

* I am indebted to Mr. Riis for information, not only upon this point, but also on police station lodging houses, and other aspects of the subject under discussion. Probably no one has done more to lead public opinion to sound conclusions on the evils of vagrancy and the practicability of its cure.

beggars are warned and any found begging after such warning are arrested and committed to the workhouse. A full descriptive record of every person so arrested is forwarded to police headquarters, there copied, and then sent to the central office of the society. The men detailed for this duty are carefully selected and are expected to remain in it permanently in order that they may become acquainted with the characteristics of the class with which they deal and skillful in advising those in distress as to the best way of securing the necessary relief.

This action and the closing of the police stations, both of which are of the greatest importance, should alone win for the police board of the present administration the hearty appreciation of all who care for the welfare of the city.

The committee on vagrancy of the Conference of Charities, which represents the most aggressive reform sentiment that has yet crystallized in New York City, advocated before the legislature a bill providing for a farm colony, or farm school, to which were to be committed vagrants between the ages of sixteen and forty—not for punishment but for training in habits of steady industry. This bill was defeated in the assembly on the ground that it gave too extensive powers to the board of managers; but it passed the senate and may be introduced another year. Of the ten thousand lodgings given within a period of two months at the free municipal lodging-house, fully five thousand—one-half—were to men under thirty years of age, strong, able-bodied and well-nourished. Such is the testimony of the examining surgeon who saw them nightly stripped for the shower bath. The farm colony is for such men, and the farm school and the municipal lodging-house are to be regarded as parts of one system.

The lodging-house is under the charge of the Department of Charities. When in satisfactory working order, there is attached to it a sufficient corps of investigators to report within twenty-four hours on every lodger who gives a reference

in the city. The plan contemplated by the committee on vagrancy, which has not yet been fully adopted, is that all applicants who have been less than a month without a residence shall be received and their statements investigated. For such applicants, if they are found to be truthful, the assistance of private charity is to be invoked, provided anything more than a single night's lodging is needed.

Those who have homes elsewhere are to be returned at the expense of the state or otherwise. A sufficient amount is placed by the legislature in the hands of the Superintendent of State and Alien Poor to provide for the transportation of those who live out of the state. Those who have residence within the state may be returned by the City Department of Charities. Any who have been one month or more in the city without a residence, whether native or not, are not to be received; but are to be conveyed at once to the nearest police station and detained as vagrants, not as lodgers, and are to be arraigned in court next day. This distinction between those who have lived without regular employment and without a residence for less than a month and those whose stay has been for a longer period, is arbitrary; but errs, if at all, on the side of leniency. Those who have thus been dependent for a month or more will not be worse off in the workhouse, assuming, of course, that adequate accommodations and facilities for work are provided. It is not a hardship to the individual unless the conditions are distinctly less favorable in personal comfort and in their influence on personal character. They are probably an improvement in both respects. Aside from the clear public benefit, the step is, therefore, in the interest of the individual.

Unfortunately, the lack of facilities for work in the workhouse at present somewhat frustrates this purpose, but a liberal appropriation has been made to enable the Department of Correction to occupy an additional island in the

East River where hard work will be possible. The lodging-house thus becomes a sort of distributing centre, from which some will go to the workhouse, some to the almshouse, some to hospitals, some to their homes elsewhere, some to the offices of charitable societies, and many to their own independent search for work or friends. Those for whom there is no other natural provision and who are of suitable age, would have been sent under the proposed law to the farm colony.

Such are the two general features of the plan which is urged by the committee on vagrancy for the elimination of the floating and shiftless population. In criticism of this plan, it may be said that it is clearly an advance, and that all the arguments are in favor of its further prosecution. But it is also true that it does not go to the root of the matter. Considered as a comprehensive plan for restoring to productive industry the general body of inefficient young men now vagrants—it rests upon the mistaken assumptions that the flow of population to the city is an evil, that it is remediable, that those who prove incapable in the city can be made self-supporting most easily by teaching them something about farming and thereupon transferring them to the country.

These have long been the prevailing views of a large class of reformers, but without going deeply into the matter I venture to suggest that it is useless to dissipate valuable energy in an attempt to prevent a movement of population which has shown itself to be world-wide and to rest upon necessary economic changes. The agricultural revolution which has been in progress is not finished, and it is a question whether we are not protracting the period of suffering by every attempt to induce an incapable worker to remove himself from town to country.

Workers must go where the work is to be done, and the industrial changes in progress clearly indicate that an increased proportion of the work to be done by human labor

will lie in the industrial centres either in or immediately about the great cities. The inefficient farmer may be trained to efficiency in a subordinate position on the farm as the small farms are merged into larger, but the inefficient builder, weaver, forger, machinist, furnace-man, longshoreman, garment-maker, and common laborer of the town must be transformed into the efficient town laborer at the expense of the town, in institutions teaching town trades, having in view future residence and productive labor in the town itself.

The farm school, therefore, in a general remedial scheme, should be but one, and probably the least important, of a series of correctional and educational agencies, and the goal is not transference indiscriminately of all the incapables of the city to the soil but the placing in some honorable industry of all who develop the qualities essential to success in any.

From this point of view, industrial education assumes a new importance. If in the schools we train all of both sexes in such a way that they will be able to turn when occasion arises from one occupation to another, and if we admit no immigrants save those who have acquired equal capacity elsewhere, the amount of correctional training required will be reduced to a minimum.

Taking into account the national interest as a whole, the city is a better and less dangerous and less expensive place for the vagrant than the country. His migration to the city should be welcomed rather than discouraged. If he is in the city we shall be more conscious of his existence, but for that very reason we shall be better able to deal with him. There is greater taxable wealth and, therefore, greater resources for charitable relief and for correctional discipline. The whole of the repressive and remedial work can be done more efficiently and with better opportunities to watch the results than in the country. What the conventional view amounts to is that we of the city have done our full duty when, at the expense of the country, we have gotten rid of

the greatest possible number of individual vagrants, incapables and unfortunates, adults and children. This short-sighted view must be displaced by a determination to shoulder courageously the burden of our own dependency. What is objectionable is not the return to the country of those who clearly belong there, provided they are intercepted within a reasonable time, or the restoration to farm life of any who show the qualities required in it; but the assumption that a farm training is the natural cure for the general shiftlessness and vagrancy of the city and that there is some peculiar virtue in farm life which will eradicate the in-bred disease of dependency.

An illustration of the divergence between the two views may be found in the present agitation against cheap lodging-houses. These are now and have been for ten years or more the special curse of New York City. There are 116 of them, with 15,000 to 16,000 beds. They have finally been brought under very efficient supervision. A permit is required which may be revoked peremptorily by the health board, either for a short time, until some specific violation of the regulations is remedied, or finally if the offence is serious. They are inspected twice a week. They are allowed to receive only a specified number of guests, and none except on spring beds. If a mattress is used it must be covered with oilcloth. Beds must not be less than two feet apart. Provision must be made for baths and a room set apart for any case of contagious disease. The price of a bed or room varies from seven to thirty-five cents and is generally ten or fifteen cents. The moral influence in many of these houses is vicious. An observer whose office is directly opposite police headquarters in Mulberry street and whose duty for many years has been the reporting of police news for one of the great dailies, tells me that there is no doubt whatever that a very large proportion of the more serious crime of the city is to be traced directly to the idle hours of shiftless loafers in the cheap

lodging-houses. Any measures which will bring about a change of life in the homes of these few thousands of our people, would make life and property more secure and remove one of the greatest social dangers with which we are threatened.

One of the most effective opponents of these cheap lodging-houses, Mrs. Charles Russell Lowell, does not rest content with attacking them because they are vicious and demoralizing, but goes further and draws indictment against them all, good and bad, and against all inexpensive provision for homeless men, on the very different ground that they attract the incompetent to the city. Quoting from Superintendent Byrnes, late chief of police, in a recent address before the Conference of Charities, Mrs. Lowell calls attention, as she had often and effectively done before, to the undeniable fact that the lodging-houses have a powerful tendency to produce, foster and increase crime. Superintendent Byrnes had gone so far as to say that "in nine cases out of ten the stranger who drifts into a lodging-house turns out a thief or a burglar, if indeed he does not sooner or later become a murderer;" that "thousands of instances of this kind occur every year."

In the face of this testimony, Mrs. Lowell's contention for the constant improvement of the common lodging-house by law and by strict inspection is eminently justified. The argument should rest upon this unassailable ground, that the lodging-houses in question are known by observation and experience to exert an influence for evil. But an attack upon all provision for inexpensive lodgings under conditions free from the positive evils, is a very different matter. Whether or not, for example, the splendidly equipped lodging-houses for single men which Mr. D. O. Mills is now constructing on Bleecker street will be productive of any harm of this sort, depends upon the character of the social life which develops in it. If some hundreds of young men of congenial tastes and a desire for good society,

are given an opportunity which is denied the boarder in the hall bed-room who is paying the same rates, and which is utterly impossible in the common lodging-house, then they will prove a public blessing notwithstanding their effect in drawing some men from the country.

By making men more contented in a bachelor's life they may somewhat delay marriages, and some marriages they may prevent altogether. This effect can scarcely be deplored. Since whatever views we hold on population in general, we cannot welcome an accelerated increase in that part of the population which is living at the lowest existing level. The shiftless and floating family is more to be dreaded than the single vagrant, for charity will respond to appeals on behalf of a dependent family even to the extent of providing a living for months together if the head of the family is not employed, while a single man who cannot make a living can be more easily removed to some such educational institution as that for which the reformers are working.

The Salvation Army shelters must be discussed similarly on their own merits. The objection to them is not that they draw men from the country or from smaller towns, but that the desire to bring together materials for the spiritual work of the army tempts to a very low standard of physical decency and to persistent violations of the most elementary sanitary regulations. Presenting themselves as a semi-charity, they conciliate public sentiment and make it comparatively difficult for the health authorities to apply their ordinary supervision. They have been centres of contagion in London, where, unfortunately, they do not come within the generally ample sanitary inspection. In New York City their regular lodging-houses are governed by the ordinary regulations of the health department, but no one has as yet interfered with the occasional emergency measures, such as the opening of a large audience room, in February of this year, to 1600 nightly lodgers on seats and in

aisles that were to be used the next day for an ordinary public gathering. It is a significant indication of the real sources from which such lodgers come that the number of regular lodgers in the municipal lodging-house decreased when the auditorium was opened from three hundred to about one hundred; the number at the Wayfarers' Lodge of the Charity Organization Society fell off in even greater proportion; while the average reduction in the cheap Bowery lodging-houses was found by a curious visitor to be about fifty per cent. In all these places there would have been a normal increase if the Salvation Army quarters had not been opened.

This experience is only a new proof that in our study of the homeless poor of the city, we must include not only the few hundred men and the few score of women that are at any given time absolutely without shelter, except such as charity or public relief may provide, but also the ten or fifteen thousand persons who live in cheap lodging-houses and who are homeless in the sense that they have no real home—no home ties and influences, no permanent engagements for payment by the week or month that would interfere with the cheerful acceptance, at the eleventh hour, of a free shelter which might open its doors if only for a night.

The irresistible conclusion of the most careful study will be that the fundamental difficulty is in the home and school life of the young people. The correctional devices to which some attention has been given are needed only to give society a better chance as it were to work at its social and educational problem. Kindergarten, manual training, trade schools, professional training for public school teachers, instruction in the best ways of using an income large or small, the prevention of indiscriminate charity, organized intelligent effort on behalf of individuals and families in distress, the proper care of homeless children, the study of social conditions in college settlements, the creation of public opinion by the extension of university

teaching—these are the methods which, without any desire to be eclectic and to conciliate everybody, but only with an intense conviction that our whole social problem is one, I propose as the means of eliminating our shiftless and floating population.

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THE PROBLEMS OF POLITICAL SCIENCE.

The recent literature of political science, in marked contrast with the writings of the Austinian school, reveals much uncertainty as to the scope and problems of the science. Many regard this uncertainty as the opening of a period of more fruitful, because less dialectic, discussion. It is evident that many accepted political theories are survivals of an earlier period, and that in dealing with practical problems we use political formulæ arising from conditions essentially different from those of to-day. In this respect some striking analogies are found in the history of economic theory. The terms of the science, its logic and even the formulæ which were regarded as economic laws, have been questioned. But out of this apparent chaos, a body of thought is evolving which has modified and promises to supplant the Ricardian system, giving us a theory of economic relations corresponding more closely to the facts of modern industrial life. The clear recognition of the facts of modern industrial life bids fair to give us a new theory of economic progress.

A like situation confronts political science. While it is too early to predict ultimate effects upon the problems of the science, some of the changes necessary to a closer adjustment of political reasoning to political conditions are apparent at the present time. The question is one of tendencies rather than results, involving the gradual adaptation of method and interpretation to the new relations. That new political relations have developed within the last half century calls for no detailed demonstration. To prove that political theory has not kept pace with these changes requires somewhat closer analysis.

In spite of the fact that many of Austin's conclusions have proven erroneous, his conception of the scope of political science, of its problems, of the methods of political

reasoning, are generally accepted in the systematic treatises on the subject. Austin's views depend upon the conditions of the highly developed political communities of the Western world and lose much of their value when brought into relation with the conditions of more primitive civilizations. In the light of recent research we are now in a position to see that the greater part of Austin's definitions such as law, positive morality, sovereignty, non-sovereign political communities, etc.—rest upon the conditions of an advanced political development. They assume that religious, ethical and political standards have become differentiated, that national unity is the basis of state existence, that the democratic evolution of society has reached a point beyond that of most modern communities. The polemical character of much of Austin's work is founded in this peculiarity of his system. His discussion was directed against the remnants of the eighteenth century political philosophy. Austin's immediate predecessor, Bentham, had not been able to emancipate himself completely from the philosophy of a "state of nature." The discussion of "natural" society in the writings of Bentham has the flavor of an earlier period while ideas of natural law, natural rights, rights inherent in the individual independent of and superior to all political authority, reappeared in the writings of his time. Strongly impressed with the great increase in legislative activity in England, and the more definite expression of rights and obligations resulting therefrom, Austin saw the necessity of demonstrating the supremacy of positive law, *i. e.*, law in its objective expression. This he did with far greater success than Bentham. His contribution to political science can be gauged at its true value when viewed from this standpoint.

On the other hand, it must not be forgotten that Austin entirely neglected the subjective basis of law as well as its relation to the changing standards of the community. In fact an inquiry into the psychic and objective factors

determining legal development finds no place in his system. His great claim to recognition lies in the fact that he offered a clear analysis of law in the objective sense, a definite terminology and a series of concise definitions.

The field of jurisprudence left untouched by Austin has not been occupied by any English writer. Of Continental treatises Ihering's work is the only important contribution to the subject. The contrast between his "*Zweck im Recht*,"* and Austin's "Jurisprudence" throws much light on the present problems of political science. The two authors are interested in a different series of problems, which accounts for differences in method and premises. In Austin we have a cross-section view of the English political system, with sovereignty, law and morality treated as isolated facts. No attempt is made to assign them a place amongst the other political and social forces. Nor is allowance made for the great diversities in political organization; for the degree of development of unity and symmetry in the body politic. It is assumed that there must be some definite organ or group of organs enjoying legally unrestricted power. Now, the very idea of "legally" unrestricted power is characteristic of a period of advanced political development, a period in which the spirit of law has fully asserted itself.

In Ihering, on the other hand, we have a discussion of the subjective basis of law, of the forces which influence its growth, and of the relation of law to the other order-producing forces in the community. The significant feature of Ihering's argument is that law does not represent an isolated fact, the command of a sovereign political authority. His philosophy of law is brought into direct relation with the philosophy of society.

An examination of the history of English political science will show that the method adopted by Austin has its root in Hobbes and Locke. In fact Hobbes, Locke, Bentham, Austin, Holland and Markby, form an unbroken line of

* Also his "*Geist des römischen Rechts*."

thinkers, whose writings, in spite of great differences in conclusions, show practical unanimity in method, in interpretation of political phenomena and in terminology. It is to be noted that the relative justification of the method adopted by this school is not in question, for the results of Austin's work has placed it beyond doubt. The real issue is, whether we have not reached a stage in political development in which problems of a different character, demanding a different method of analysis, call for consideration; whether the continued domination of the Austinian method is not likely to lead us to a ceaseless reiteration of threadbare formulæ. The importance of a general recognition of this danger becomes apparent when we stop to consider that most of these formulæ are of little significance at present; many of them having been disposed of, not by the political scientists, but by conflict—physical, economic, moral and intellectual. For a period of undeveloped political relations, when the conflict of opinion corresponded to real differences in class and sectional interests, the determination of the seat of sovereignty was important. To refute the idea of natural rights was of importance in a period when the acceptance of this idea by a considerable portion of the population threatened political anarchy. Instances may be found at every period in history. In the conflict of the English people with the Stuarts, the question of the right of resistance was one of great practical importance and soon became the main problem of political science.* When this question had been fought out, when the supremacy of Parliament had asserted itself, the problem lost its importance and, therefore, its interest. New problems arose. The freedom of the individual, his immunity from arbitrary interference on the part of the public authority, became the requisite conditions of further progress.

* Another and more recent instance is to be found in the attitude of the Catholic clergy and a large part of the Catholic population of Prussia during the "*Culturkampf*." The law was set at naught on the ground that it was in conflict with the papal interpretation of political obligations.

To secure these conditions some means to check the power of the executive, to restrain the crown and its agents, had to be developed. Furthermore, the growth of more complex economic and legal relations called for the development of an independent authority to supervise and guarantee their adjustment. Without it social order and stability were impossible. These new organs of government, under the name of the judiciary, developed a body of rules of interpretation which, in a subsequent period, were to constitute the most effective guarantees of the citizen against the executive.

Montesquieu formulated this practical political necessity in the sixth chapter of the eleventh book of the "*Esprit des Lois*." He saw clearly that greater security for recognized personal and property rights was one of the chief needs of the time. Unless this security were attained the motive to individual activity and initiative would be greatly reduced and economic progress would be retarded. He found in England a system of individual liberty resting on legal and extra-legal guarantees unknown to the Continent. The separation of powers into executive, legislative and judicial seemed to explain the growth and guarantee of such freedom. The scheme of government which worked itself out in his mind, and which he thought was a counterpart of the English system, was described as follows: "Thus the legislative power will be entrusted to the body of the nobles and the body of the representatives of the people, which will have their meetings and their deliberations apart and will have distinct views and interests."

"The executive power ought to be in the hands of a monarch; because this part of the government, which must ordinarily be in a position to act promptly is better administered by one than by many; whereas matters of legislation are often better ordered by many than by one. . . . If the executive power does not possess the power of defeating the encroachments of the legislative body, the latter will

be despotic, for being able to invest itself with every imaginable authority it will annihilate every other power. . . . The legislative body is composed of two distinct parts, which limit each other by their respective vetoes. Both will be restrained by the executive power, and this in its turn will be restrained by the legislative power.'

This doctrine of the separation of powers became the text for political writers. The principles of governmental organization founded upon it remained the accepted canons of political science long after English political development had deprived the doctrine of any value as an absolute formula. The survival of the principle in its original form has been due to the fact that it did not antagonize any distinctly felt want. Furthermore, political thought was being directed into new channels. Presently we shall have occasion to examine the influence of the doctrine upon the development of American political institutions.

The foregoing analysis has given us the clue to two methods of political research; each dealing with problems of a different nature. The first is the Austinian method in jurisprudence which is peculiarly adapted to the study of political institutions at a given period. Society is viewed in cross-section. The organs of political authority, their constitution, activity and relation to one another are made the subject of research. The discussion of the form of government, the determination of the supreme law-making authority, the relation between governmental organs, etc., are questions to which this method is peculiarly adapted. If we may be permitted to borrow, as the economists have done, a term from physical science, these problems may be termed those of static politics.* These questions are of great importance, but the method adapted to their analysis has definite limitations which we must clearly recognize. Inquiry in the domain of static politics does not and cannot give us

* See "Political Science and Comparative Constitutional Law," by Professor J. W. Burgess. 2 vols. Boston: Ginn & Co., 1893.

anything more than a picture of the working of institutions divorced from the ideas upon which they rest. Its discussions are confined to those relations which find definite expression in the public and private law. Extra-legal considerations may be introduced incidentally, but are not made the basis of discussion. Organized forms, rights and obligations recognized and enforced by law exhaust the catalogue of subjects beyond which analysis is not carried. In order that discussions of this character may lead to fruitful results, great care must be exercised in the use of terms. The ever-changing conditions of political life are constantly giving a new content to the terms of the science. It is impossible to formulate a terminology applicable at all times and to all countries. The terms family, sovereignty, democracy, liberty, law, rights and obligations do not connote the same group of relations when applied to ancient Greece, as when applied to mediæval France, or to the England of the latter half of the nineteenth century. It is a matter of great importance to determine whether these concepts, in the sense in which we understand them, existed in earlier epochs. Did they, or similar institutions performing the same function, rest upon the same subjective basis; upon the same instincts, feelings, prejudices, ideas and ideals?

The failure to recognize clearly the evolutionary nature of political relations and the resultant change in the content of political terms leads to barren dialecticism. An examination of recent American treatises will show that we are not free from this weakness. The tendency to reason from definitions rather than from facts seems to be one of the strongest temptations to political scientists. In spite of every precaution, few, if any, of the recent contributions to political science escape this criticism. In a recent work,* which has attracted considerable attention, the author, discussing the distinction between the family and the state,

* "The Nature of the State," by W. W. Willoughby. New York: Macmillan, 1897.

says: "The two institutions are different in essence. In the family the location of authority is natural (*i. e.*, in the father). In the state it is one of choice. Subordination is the principle of the family; equality that of the state." We are here given the choice between two contradictory positions. If the term "state" is used as a general political concept—and this is the only use consistent with the author's conception of the function of philosophic concepts—his reasoning is unsound because unhistorical. That in primitive and even in such highly developed political societies as the Roman, no such distinction can be drawn, has been shown by Maine and Mommsen. The early Roman family was based upon what we now consider purely political relations. "The family, based upon the principle of the state, becomes the state based upon the principle of the family*. To reserve the term "state" for the complex and highly-organized political communities of modern times would throw the discussion into hopeless confusion. It is hardly possible to reconcile such an interpretation with the statement† "that the designation of the state cannot be refused to a society of men, if politically organized, even though it be in the nomadic stage. Lower order of development cannot deprive an institution of its generic name."

Such inherent contradictions show more clearly than any amount of argument, the great care which is needed in the use of terms. We must keep constantly in mind the infinite varieties of political organization which the term "state" may connote, and not make it express a distinction that is peculiar to one period of development, and which inevitably leads to confusion. The difficulty with which we have to contend is as old as the science of politics. It is the attempt to arrive at concepts of universal applicability by a method which does not lend itself to the task. It is a question to my mind whether we can hope to formulate any such general

* Ihering. "*Esprit du Droit romain.*" French Edition. Vol. i, p. 178.

† Willoughby. Cap. i, p. 27.

concepts, or at least such as will be of real value in a comparative study of political relations. A method of inquiry essentially different from that outlined above becomes necessary.

The difference corresponds to a fundamental difference in the attitude towards problems of political science. It brings us to the second division of politics, which I shall call "dynamic politics." The study of political evolution, of the relation between institutions and ideas, of the adjustment of such institutions to the needs of the community, are the leading problems in this field. The very statement of these questions shows that our analysis must go beyond the organized political forms. The political bearing of economic facts as well as the political results of changes in economic relations must be examined. The forces developing new standards of conduct, be they class or general standards, must be brought into direct relation with the facts of political life. If political science is to ignore these questions, their treatment will be delegated to the allied sciences. Sociology has already begun this work. The comparative barrenness of American political literature is to be ascribed, in part, to the narrow interpretation of the scope of the science. Political scientists have been content to accept classifications suggested by writers in the allied sciences, an attitude which is disastrous to the growth of a science.

Let us take, as an instance, one of the most recent as well as one of the most liberal interpretations. Professor Giddings in his "Principles of Sociology," says:* "Political science studies the state within the constitution and shows how it expresses its will in acts of government. It inquires how the state within the constitution is created and moulded by the state behind the constitution, but beyond this, political science proper does not go. The state beyond the constitution, or natural society as we should otherwise call it, is for politics as for economy; a *datum*." This line of division meets all the requirements of the problems of static

* Page 35.

politics and has the great advantage of being readily distinguishable. The moment, however, that we enter upon the study of the second class of problems, the state behind the constitution,—“the facts of natural society” become something more than data for political science. It is only by such considerations that we can explain the causes and process of political change. Illustrations from primitive communities where the conditions are relatively simple offer the clearest demonstration of this principle. In such communities conscious adaptation does not enter as a disturbing factor to the same extent as in our highly developed modern ones, and political institutions become the simple expression in the political sphere of economic relations. It is true that psychic factors, such as the supernatural interpretation of the objective environment soon enter as modifying factors. Take, for instance, the primary fact of command and obedience, the earliest of political relations. This relation was the immediate result of the conditions of the objective environment—the necessity of obtaining a food supply and protection against attack. As such, its growth became a condition for the continued existence of the community. We must therefore look to the conditions of the objective environment for the efficient cause of political evolution during these early stages. When, at a later period, private property had developed, the same intimate connection between economic and political relations can readily be traced. Usually the possession of the relatively scarce factor in production carries with it political power. Even class distinctions ultimately break down before the fact of economic supremacy. Individuals of low birth acquiring control of the factor in production which is either absolutely limited in quantity or, relatively the most slowly increasing, come to be regarded as of royal descent.

This relatively scarce factor in production may and does actually change at different periods. At one time it may be cattle, at another land, and still another tools or implements.

Sir Henry Maine gives several striking instances from the political constitution of early Irish villages. Political leadership was determined by the ownership of cattle. The loan of cattle created definite political relations; the degree of political subjection being dependent upon the number of cows or oxen borrowed. The relation of borrower and lender carried with it a political relation or status. It would probably be more exact to say that the two relations were not consciously distinguished; the political status following as a matter of course upon the economic cause. With the differentiation of economic opportunities the modification of this particular relation became necessary before further political advance could be made. So intimately had the two ideas of "cattle-borrowing" and "political dependence" become associated in the minds of the people, that the only means of political emancipation lay in a restriction of the right of borrowing and lending. The modification of the economic relation meant an immediate change in the political system.

Add to this the secularization of political relations and the process of differentiating economic, political and religious relations is complete. New ideals of political equality are developed which react strongly upon the political system. Conscious adaptation, with all the psychic influences which accompany it, must now be given an important place in political development. Economic relations continue, however, to play the leading rôle, and economic dependence is still the most important factor in political life. The characteristic features of the Roman system are explained by Mommsen on this basis.* In the explanation of the feudal system, property relations furnish the key to political relations.† With the advance of political civilization and the accompanying development of more complex relations no such simple explanation is possible. The

*See his "*Staatsrecht*" also Brooks Adams "*Law of Civilization and Decay*."

†See Stubb's "*Constitutional History of England*."

increase of the economic possibilities of the individual lessens direct economic dependence. The growth of the idea of the individual as an end instead of a means, which characterized the Reformation period, made for political equality. New religious ideas were making themselves felt in the political sphere. In addition, the inherited traditions of the race, together with the development of the individual as a political being, offered the possibility of an appeal to individual judgment without the danger of moral and political anarchy. Individual liberty in the modern sense does not emerge until this point has been reached. The idea upon which it rests is that of a sphere of activity within which the individual shall be free from arbitrary encroachment.

From the foregoing analysis we can readily distinguish the difference between the two classes of problems above referred to, and which correspond to two distinct divisions of political science. The problems of "static politics" can be kept within the limits of relations definitely expressed in law. Dynamic politics must seek their basis and the laws of their development in the subjective and objective forces influencing national ideas and standards.

The question as to the practical value of discussions within the field of "dynamic politics" still remains to be answered. Will such discussions throw any new light upon the nature of our present problems? Will they give us any valuable indications for their solution? Are not the factors to be dealt with so vague and indefinite as to make practical suggestion based upon them impossible? To answer these questions satisfactorily we must recur to a principle already alluded to, viz., the relations between institutions and ideas on the one hand, and the conditions of the subjective and objective environment on the other. The history of institutions, including within that term customs, class standards of conduct, forms of judicial procedure and forms of governmental organization, has established the fact that institutions

tend to outlast the conditions which determine their growth and furnish the basis of their usefulness. Superorganic evolution does not proceed with the same effectiveness in the elimination of the "useless" and "unfit" as organic evolution. A custom, a habit, a method of political procedure, a type of political reasoning, a form of governmental organization will continue to exist as "survivals" long after the conditions upon which they rested have changed. Not until the lack of harmony has developed into an antagonism of such intensity as to bring about a crisis—threatened political disruption and anarchy—is a readjustment effected. The same is true of political ideas when they are once incorporated into a people's mode of thinking. A clear perception of the evils flowing therefrom, plus a great amount of discomfort and inconvenience, is usually necessary to bring about a very slight change. As long as these evils are obscured by other factors—such as great economic prosperity incident to the exploitation of unlimited natural resources—antiquated political ideas retain their hold unchallenged. A lack of harmony between institutions and the conditions of the environment, no matter how small in amount, is always a source of political weakness. Careful examination of the relation between the two will disclose the weak elements and point the way to a remedy.

The political condition of modern nations furnishes abundant illustrations. France is suffering from a lack of adjustment between the political ideas of the people and the conditions of modern political life. The form of government is regarded as an end instead of a means, as an extraneous factor antagonistic to those deprived of the immediate control of its policy. As a result, questions of internal policy are either neglected or inadequately treated. In Germany, the bitterness of class feeling, which is mirrored in the division of political parties, is one of the obstacles to the development of a high type of political activity in which the attitude of

the population toward concrete problems will be determined by national ideals rather than by class prejudices. We, in the United States have inherited a system of political thought which grew out of the English conflicts of the seventeenth and eighteenth centuries. These conflicts gave to England the body of civil rights which excited the admiration of Continental writers. The system of government, as far as it was a conscious development, was intended to act as a guarantee to these rights. It did not create them but grew out of the need for a guarantee of their continued observance. Continental, as well as American, writers confusing cause and effect, were led to the conclusion that the peculiar characteristics of the English system were essential to the development of individual liberty. Little attention was paid to the differences in political ideas, habits and education, which clearly distinguished the English from Continental peoples. In France the attempt to carry out this principle led to the adoption of a system of government for which the people were not prepared. With English traditions and training to guide us our situation was far more fortunate. We have been able to apply with a far greater degree of success Montesquieu's tests of a free government. In our national and state government the principle of the separation of powers has been carried out as far as is consistent with a workable scheme of government. Special emphasis has also been laid upon the idea of "checks and balances" in the legislative authority. A little reflection will show, that important as these principles are, they cannot be regarded as of absolute validity. Essential to a period in which the fundamental personal and property rights were in constant danger of arbitrary encroachment, they may become real obstacles to positive action at a later period when numerous and pressing problems of a social and industrial nature are demanding attention.

At the present time, the greatest menace to our political institutions comes not from the danger of arbitrary encroach-

ment on the rights of individuals, but rather from the dissipation of political energy and the weakening of political responsibility. The indiscriminate application of the political formulæ just mentioned to all political problems, without reference to their intrinsic nature, constitutes the greatest danger to the progressive development of our political institutions. The first effects may be gathered from an examination of the history of American municipal institutions. At the time when the problem of city government became a pressing one, when the New England system of town government had become unworkable and the New York and Pennsylvania forms had become equally antiquated, their reorganization was effected by the application of the same principles that had determined our national and state systems. No attempt was made to determine whether such principles were in harmony with conditions of life in large cities; whether the reasons which justified their application to the state and national systems were present in the case of city government. We did not see clearly that city problems differ essentially from those of the state and nation. The dangers from hasty action in city affairs, owing to the non-political character of city problems, are far less than in state or national affairs. Municipal questions require positive action. The system of "checks and balances" which we have consistently applied, diminishes public interest in city affairs, wastes energy, prevents the consideration of questions on their merits and weakens civic ties. Political responsibility is not individual but social in character. It manifests itself through compliance with the social standards of the community, standards which are applied at all times, and not merely at intervals of two or four years.

We have, here, an instance of the persistence of political ideas and their influence on forms of government. In the above inquiry, political science must determine whether the form of government is adapted to the problems to be solved.

Another and equally important question is the influence of political ideas upon the actual working of institutions. Scientific analysis must show the degree of harmony between political habits, instincts and ideas on the one hand and the conditions of the environment. Here again lack of adjustment is a source of weakness in the body politic. The recent development of American political institutions furnishes abundant illustration of this principle. Take for instance our attitude towards constitutional law which has been likened to fetichism.* Whether true or not, no one would deny the peculiar influence of the state and federal constitutions upon our political life. To the average American, constitutional provisions represent absolute standards by which all political proposals are primarily to be judged. More than this—they are formulated rules of an inherently different character from other branches of the public and private law. This view found its justification in the English idea of constitutional law, as the body of "rules which directly or indirectly affect the distribution or exercise of sovereign power in the state."† When we consider constitutional law with reference to the political ideas of the community, we find that our written constitutions, especially the state constitutions, no longer conform to this standard. They contain a great mass of direct legislation; provisions in no sense different, in kind, from ordinary statutory enactments. They represent standards and policies which the people have seen fit to force upon the state legislatures or, more often, a field of legislation withdrawn from legislative discretion. Constitutional law in England and the United States does not cover the same set of legal relations. Nevertheless we continue to judge it from the same standpoint as the English, as if it were a series of fundamental political rules. A proposition which does not conform to them is *prima facie* to be condemned.

* See Von Holst, "Constitutional History of the United States."

† See Dicey "The Law of the Constitution."

The influence of the income tax decision upon the opinion of the country is a case in point.

Again, how can political science explain the fact that a system of city government which has proven such a disastrous failure in this country, works admirably in England and Germany? An examination of the different concepts of the city and the resultant differences in attitude towards local interests will explain what otherwise would remain a mystery.

These illustrations go to show that dynamic politics deals with the relation between institutions and political ideas, between institutions and the environment and between political ideas and the environment. It traces the degree of adjustment between these various factors. In the light of such research the same term will be found to correspond to a different set of ideas at different periods, and in different places at the same period; a fact which makes the use of such general terms as law, sovereignty, democracy, etc., extremely hazardous in a comparative study of political conditions.

Thus, a series of inherited political traditions, a system of political thought transmitted to us from a previous epoch, have been the primary causes determining the attitude towards the scope and method of political science. A number of secondary and more proximate causes have further emphasized this tendency, which may be classified under three heads:

First.—The confusion of legal and political considerations.

Second.—The influence of a formula of political progress.

Third.—The use of biological analogies in the discussions of the nature of the state.

It is to be noted that these causes are partly methodological and partly psychological in character. The distinction indicated under the first head rests upon another which is of primary importance in political science, viz., the difference between a stationary and a progressive society. Much of

the reasoning in political science is based upon the conditions of a stationary society; a statement which may seem somewhat paradoxical when we remember that very few writers are acquainted with the political conditions in the stationary communities of the East. The history of the progressive societies of Western Europe shows that the formulated relations of the private and public law have never fully expressed the actual relations. This is especially true of the relations expressed in the public law. Legal principles, when once definitely expressed, tend to take upon themselves a certain rigidity, and are only brought into harmony with changing conditions by a long and slow process of adaptation. The relation as expressed in law may remain the same while the content has been modified. The moment law fully expresses actual relations society becomes stationary. Sir Henry Maine, in speaking of China, says: "Progress seems to have been there arrested, because the civil laws are coextensive with all the ideas of which the race is capable."*

Now, political philosophy must explain this change in actual content and its relation to existing forms. Otherwise, it commits itself unnecessarily to the purely formal side of political organization. How, for instance, are we to explain why similar forms of organization work so differently in different countries? Why is the attitude of the American people toward government different from that of the German? To give a satisfactory answer to these questions it is necessary to examine the phenomena of political life. We can thus arrive at a far clearer notion of the working of political institutions than by confining ourselves to the formulated legal relations. Many of the vague and uncertain factors discountenanced by recent writers must be given due weight.

Another reason for the distinction here referred to has been pointed out by Ihering in his "*Geist des römischen Rechts*." He shows how inadequately law expresses actual

*"Ancient Law." Chapter I on "Ancient Codes."

political relations, and ascribes this inadequacy to the narrowness of the field of vision of the generation living in the midst of such relations.

The second of the causes determining the present attitude towards the scope and problems of political science rests upon centuries of accumulated experience. The political history of the ancient, as well as of the modern world points to the close connection between social order and political progress; to the necessity of preserving social and political stability amidst change and reform. The communities which were able to develop this combination of order and progress remained progressive and survived in the struggle for existence. The political societies of ancient Greece disappeared because they were unable to maintain social order during the period of political change. The lessons thus taught have given rise to a theory of political progress which has strongly influenced the views of writers as to the limits of political inquiry. Factors which do not operate in definite channels and find expression of order and progress through definite organs are entirely neglected or relegated to the consideration of another science. Public opinion, class standards, group standards, voluntary association and the like, are regarded as the proper domain of sociology. Unless this view is considerably modified it is probable that we shall have to look to treatises on sociology for discussions of the actual content and operation of our political institutions as distinguished from their form. No science can afford to permit a formula of experience, no matter how true at the time, to color its analysis of fact.

A third factor which has strongly influenced the interpretation of political phenomena has been the use of biologic analogies in political reasoning. In counteracting the influence of the ultra-individualistic view of society this method performed its greatest service. On the other hand the dangers involved in its use were not fully recognized. From the justifiable use of analogy we have unconsciously passed

to the complete identification of political with physical organs. Some of the most complex problems of political science have been glossed over by means of terms borrowed from biology. The expression of the will of the community in political action is treated as if it represented a process precisely similar to the expression of individual will. Just as the latter must have definite organs to make itself intelligible, so must the organs of government be fully developed before political science can take account of political action. In fact, without such definite organs, the very existence of political action is denied.* The numerous influences, psychic and objective, determining the nature and direction of political activity are ignored. The analogy is now carried one step further. The organ or organs expressing what is called the "will of the state" are regarded as the highest political authority—the depositaries of sovereign power. The full effects of the use of biologic terms soon become apparent. The transition from analogy to identification is extremely easy and almost imperceptible. Instead of comparing the state with a living organism, writers on political science come to regard the state as a living organism; instead of reasoning from the facts of political life we content ourselves with the use of terms which have their real meaning in the domain of organic life.

The dangers involved in this confusion of thought becomes evident when we stop to consider the relative permanence and stability of forms of government as compared with the ever-changing class and national feelings and standards which furnish the motive power and determine the direction of political activity. Political consciousness may grow in intensity, voluntary association may acquire increased influence, public opinion may grow more enlightened and increasingly directive in its influence; and yet, of all these changes, political science, as interpreted in recent treatises, need take no account. Surely a method which leads to such

* Cf. Willoughby, *op. cit.*

results must bring about a complete divorce of theory from fact.

Take, for instance, the accepted treatment of the nature of sovereignty. While impliedly recognizing that the true basis of political authority is to be found in the political ideas of those partaking in political life, most writers have been unwilling to build upon such uncertain subjective factors, and have taken refuge in the more definite limits of governmental organization.

All manifestations of force which are not expressed through legally constituted forms, are declared to be uncivic or unpolitical in character. If political institutions were viewed from the evolutionary standpoint, it would be seen that our present unwillingness to recognize anything beyond organized forms rests upon the spirit of order and legality which is itself a comparatively late development in the history of civilization. Countless political forms operating without any definite rules of organization or procedure existed prior to its appearance. The law-abiding spirit soon became a requisite for survival. Those communities possessing it were able to conquer their less advanced neighbors. In order to maintain what had been gained and to secure further progress it was necessary that political authority should be exercised by a definite organ or set of organs. To make of this an universal proposition; to connect the idea of sovereignty with unrestricted power of legislation vested in a definite organ, is to associate it with a phenomenon of advanced political development. It is perfectly possible to accept such a definition, but it must not be supposed that it takes us very far in political analysis. To obtain an insight into the conditions of political life in modern democratic communities the problems of dynamic politics together with a method of research adapted to analysis of this character must be given an important place. Unless this is done, we remain committed to the formalism of the Austinian school. "We often talk and sometimes think, as if its

political constitution were to the state what its anatomical conformation is to the living animal, and as if therefore, we might argue from 'structure' to 'function' with the same degree of assurance in the one case as we habitually do in the other." * The lessons of political experience, the facts of modern political development, as well as the analysis of political relations, show that such a method of reasoning is more misleading than helpful. We must examine political institutions, primarily with reference to the functions they are intended to perform in a particular environment. This cannot be done unless the psychic factors upon which they rest are given an important place in the inquiry.

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* "Balfour, "Fragment on Progress," in "Essays and Addresses," p. 266.

ADMINISTRATIVE CENTRALIZATION AND DECENTRALIZATION IN ENGLAND.

There has been manifest in recent years a growing tendency toward the redistribution of administrative power between the central and local authorities in the state governments of the American Union. Hitherto we have been accustomed to look upon the existing distribution or classification of "local" and "central" powers in the various states as something permanent, as a "balance" of powers which should not be disturbed. The principle of extreme local autonomy has so long been held inviolate that it seems almost beyond the possibility of a change or modification. Recently, however, new conditions have arisen which are no longer in harmony with the old, uncompromising spirit of local independence, and which are gradually modifying the more important outlines of our state systems of administrative organization. Numerous examples of these changed conditions and of the administrative changes thereby produced will at once suggest themselves. There is first, the class of those administrative functions which, from their earliest assumption by the state, have always been assigned to the central administrative offices, e. g., state control and supervision over the medical, pharmaceutical and allied professions, state supervision of railways, of forestry conditions, and above all the activity of the state in the protection of the laboring classes as shown in mine and factory inspection. In the second place, the recent changes in certain phases of our economic and social environment have powerfully influenced another set of administrative functions which, in America, have almost without exception been considered as the peculiar and exclusive province of local activity, such as sanitary and educational affairs, and more especially highway administration. In

both of these classes of administrative activity may be traced a sharp and decided movement toward the restriction of local power,—in some cases the mere establishment of a modified central control, as in educational and highway matters; in others the total exclusion of the local bodies and the introduction of a highly centralized administrative hierarchy, as in the administration of the factory and mining legislation and, partially, the game laws, etc. There is in other words a definite impetus toward the complete centralization of certain activities and also a well-marked tendency toward the establishment of a state administrative control over the local bodies to a degree heretofore unknown in America.

The question of centralization, or of central administrative control then, is squarely before us, at least in the more highly developed of our American states, and we may therefore seek some light upon our own problems by examining the solutions which this question has received in Europe. Our attention will be directed to England whose administrative organization may, perhaps, from the American standpoint be regarded with the greatest interest.

English administrative institutions have long stood before the world as the classic model of local autonomy. English ideas of government have spread to all parts of the globe, resulting, wherever they have taken root, in the formation and growth of states whose local administrative subdivisions in their turn enjoyed a high degree of local independence and activity. The performance by the parish, the town, the county and other local bodies, of an unusual share of state functions, and the comparative freedom of these distinctively local units from central administrative interference or control, seem to be cardinal principles of the English system of administration. This notion is especially prevalent on the Continent. One eminent authority, Professor Gneist, has even gone so far as to declare that the English parliamentary system is inseparably connected with the peculiar

form of local government* existing in England, and that this fact is plainly demonstrated by the experiences of those Continental countries which have sought to imitate the English Parliament in their national representative assemblies. Leaving this aside for the moment, however, it may safely be said that a high degree of decentralization has always appeared to be an essential characteristic of the method of government practiced all over the world by English speaking peoples.

Since the beginning of the present century, however, certain most important internal changes have been wrought in the character of England's local organization, and these changes, while tending toward a further development of local institutions, have also been marked by a most pronounced and unmistakable tendency toward centralization. A few words will suffice to explain the causes of this development. On the Continent we find that the formation of the two most important western states, France and Prussia, resulted, in each instance, from a long and violent struggle between the crown and the nobility. In this struggle the king finally gained the ascendancy. In order to win this position, however, as well as to secure it firmly when won, the monarch, in each country, found it necessary to organize a highly centralized bureaucracy. This civil army, whose members were forced to render unquestioning obedience to the monarch's every wish, controlled every important function of state activity from the central ministries down to the smallest communes. Thus, by means of this formidable administrative hierarchy the opposition of the independent cities and of the lesser nobility was crushed, and the power of the king extended. In this way

* Professor Gneist saw in the extended functions and activity of the justice of the peace, and in the fact that the latter was an honorary office, the distinguishing characteristics of the English system. He maintained that not only historically, but also at the present time, the English Parliament was essentially based on these features of the local organization, and that the changes in the latter, which we are about to describe, were entirely out of harmony with the true historical development.

also the absolute monarchy arose and in its rise gave birth to the state from which finally, were formed the highly centralized administrative systems still existing at the beginning of the present century.

In England, the conflict did not result in a victory for the monarch, and this difference in the historical development accounts not only for the more substantial growth of the parliament, but also for the extreme decentralization of the English administrative organization. Had the crown been victorious in its long conflict with the nobles there can be no doubt that a centralized organization similar to the systems of Louis XIV. and Frederic William I. on the Continent or to that introduced by William the Conqueror, would ultimately have arisen also in England. True it is that at certain epochs England enjoyed the advantages flowing from the rule of aggressive and powerful monarchs; yet the work of these latter cannot be compared with the remarkable rôle played in nation-building by the monarchs of Prussia and of France. The main element of strength in the English administrative organization at the close of the last century lay, not in the power of the monarchy, but in the consummate skill and political training of the governing classes. This political training, however, had arisen from centuries of practice and exercise in the active duties of local administration. The governing classes, in other words, as Gneist remarked, had long been accustomed by local activity to place themselves in a position which is so necessary to the proper conduct of administrative affairs. They were accustomed to thinking and acting for the people. The local administrative bodies in the hands of men with such political training did not require constant direction, stimulation and assistance from the central government; on the contrary, they acted spontaneously, independently of the crown, and often in opposition to it. However, this system of local organization was pre-eminently an aristocratic one. The various local units acted,

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it is true, independently and spontaneously. But this spontaneity was not, in any sense, the spontaneity of a popular or democratic organization; it resulted rather from the administrative activity of the landed aristocracy and gentry in the offices of justice of the peace and other honorary posts. These unpaid officials, who were appointed and not elected, and who enjoyed therefore some degree of independence of local influence or, as it would perhaps be better to say, who guided and formed public opinion in the locality, had gradually absorbed nearly all the more important functions of local administration. The great mass of the people however took no active part in local affairs. Yet such was the efficiency of the local administration as carried on by the landed gentry that no serious discomfort seems to have been felt until the beginning of the industrial revolution. It is necessary to keep this in mind.

The later movements and changes whose nature and importance it is our object to consider, may be summarized as follows:

1. The transfer of all the more important functions of administration from the justices of the peace (the representatives of the class which hitherto had carried on the local administration) to other organs, thus leaving the former a judicial rather than an administrative competence.

2. The disintegration of the administrative power so transferred and the distribution of its various parts among new organs specially created for the purpose of receiving these powers, resulting in what is usually termed the specialization of local functions and local organisms.

3. The dependence of the newly created local offices and boards upon popular election, or what might well be called the popularization of the local organs.

4. The transfer to the central government of far-reaching powers of supervision, direction and, in some instances, of active intervention in these matters of purely "local"

concern, thus giving rise to an important degree of administrative centralization.

It need hardly be recalled that this whole series of administrative changes formed an essential part of the great reform movement of 1834 and of the succeeding years, a movement which had for its prime object and final result the extension of political rights to still wider circles of the people. That such a connection did without doubt exist between the political and the administrative reforms is evidenced by the fact that one of the most important effects of the administrative changes may be seen in the increased dependence of the local administration on the popular will and in the greater co-operation and participation by the people in the local affairs, a change that has been termed the popularization of the local bodies. The outlines of the great political movement just mentioned are familiar to all. Suffice it to say, that the invention and perfection of various kinds of machinery and the consequent rise of the factory system had produced sweeping changes throughout the industrial world, that corresponding social changes had immediately followed and that, finally, a considerable conflict of interest between the capitalistic and laboring classes had already made itself distinctly felt. Industrial laborers found themselves reduced to such a condition as to give apparent confirmation to the theories of Malthus, and, later on, to the doctrine of the wage fund. It is by no means strange that in this dire extremity the state was looked to for relief, and that such measures as a reform of the poor-laws, a regulation of the constantly growing factory evils, and the establishment of a general system of elementary education by the state were advocated. The cause of the working classes was, in addition, much strengthened by the rise of large industrial centres in localities until then deprived of adequate parliamentary representation. The first step in the reform, a conservative enlargement of the electoral lists, being once

taken, and the manufacturing towns having received their share of representatives in parliament, the social legislation followed of necessity. After the political reform bills came a series of reform laws on the subject of poor relief, factory inspection, health laws, and laws providing for the organization of a system of public schools. The promoters of this legislation, however, were, from the very outset, confronted by the question of administrative organization. Had they been Continental legislators they would doubtless have devised some general plan for the reorganization of the entire system of local government to meet the changed social conditions. Being Englishmen, they postponed all radical, fundamental alterations of the existing organization and adopted only such changes as seemed absolutely necessary, and at such times as a change appeared unavoidable. Thus we find the period of social and administrative reform in England extending over nearly half a century. It may also be said that the English local administrative organization presents an appearance of patchwork unknown even in the United States.

Let us examine briefly some of the more important of these changes in their concrete forms. One of the first and most important of these finds expression in the law of August, 1834, intended primarily to abolish the notorious abuses of the out-door system of poor relief, at that time administered mainly under the control of the justices of the peace. This method of poor relief, which consists of assistance given in the homes of the poor, had resulted in the most pernicious consequences. Since the able-bodied as well as the impotent received subsidies, employers were enabled to pay minimum wages, the parish footing up the rest. At the same time the habit of receiving public support had robbed the laboring classes of all ideas of independence, economy and thrift, while the poor-rate or tax had risen to gigantic proportions. Only one solution of the difficulty was offered, viz., an extension

of the common workhouse system, or "in-door relief," in order that those dependent on public assistance might be supported at much less expense and that certain features of disagreeable publicity might attach to the reception of public support. These institutions of public charity however could not under normal circumstances be established in each parish because of the increased financial burden thereby entailed. It became necessary, therefore, to seek some larger administrative unit for the support of the workhouse under the system of in-door relief, and this problem was solved in the law of 1834, by the formation of "unions of parishes." Each union, composed of several parishes, varying in number according to population, established and maintained its workhouse, conducting its administration by means of a board of guardians. The latter may be said to have absorbed all the more important functions of poor-relief. The part played by the single parish was still further diminished in 1868, and so remained until the law of 1894, whose provisions will be discussed when reached in the chronological treatment of the general subject.

The union is presided over by the board of guardians who are elected for from one to three years, usually three. Women may be electors and are also eligible to election. Other officials in the union (relieving officer, clerk, director of workhouse, physicians, etc.), are either elected by the people or by the local board. These provisions of the earlier laws seem on recital to be most natural and even common-place, yet they involve all the more important features of the subsequent changes. The laws cited transfer important powers of local administration from the justice of the peace. Again, the vesting of these powers in an elective board marks the establishment of a system of local administration which was dependent directly on the popular will as expressed at periodical elections and secured the co-operation of a large number of citizens in the management of local affairs. Lastly, we may discover thus

early the first signs of a remarkable and uninterrupted movement toward the establishment of a central administrative control over the local bodies.

The law of 1834 provided for the establishment of a central office composed of the Poor Law Commissioners (in 1874 the Poor Law Board), which should be charged with the control and direction of the administration of the poor laws as carried on by the local unions. The organization and powers of this central board will be taken up in due order; in passing, it is important to note that these early laws were decisive in determining the tendency of the later legislation. What followed was merely the further development of the principles already laid down, and their application to the organization of other and different fields of local administration. Thus the act of 1848, and subsequent laws, provided for the organization of special sanitary districts, administered in like manner by elected boards with the aid of subordinate officials, health officers, inspectors of nuisances, etc. - These boards also are dependent upon popular election, receive no pay and serve for a comparatively limited term, usually three years. Women may vote and are also eligible to these offices, but the elective franchise, as in all local elections, presupposes a nominal property qualification. The legislation of the years named also provided in its turn for the establishment of a central directory or supervisory office called the Board of Health which was charged with the execution of the various "public health" laws. By this means a close supervision by the central authority of the workings of the various local sanitary districts was established. There had thus arisen two entirely new central authorities, the Poor Law Board and the Board of Health, endowed with extended powers of supervision and control over the activity of the local bodies in their respective fields of administration.

The next step was the consolidation of these two central boards in 1871 into a sort of department of the interior

called the Local Government Board. This consolidation afforded not only a more practical and convenient grouping of the central organization, but also especially strengthened the central power in its relations with the local bodies, and thus increased the already existing tendency toward administrative centralization. A similar movement became noticeable in the administration of highways, which was carried on partly by separate highway districts, and partly by the existing sanitary districts, but usually, under the control and direction of the central authorities.

A still more striking example of the irresistible movement toward centralization which was sweeping over all departments of the English administrative organization at this time may be seen in the field of public elementary education. About 1833 the parliament voted certain subsidies to the schools of the two most important educational societies of that time. These subsidies continuing and increasing from year to year, it was decided in 1839 to form a central office or committee in the privy council for the purpose of deciding upon the amount and distribution of the money so appropriated. In 1853 another and a most natural step toward the extension of state control was taken by requiring conformity to certain regulations that were prescribed as a condition of the grant of the subsidies. Inspectors were then appointed by the central committee to report as to the observation of the prescribed regulations on the part of the schools thus benefited. In 1861, the committee of education decided to stipulate certain examinations and to prescribe a certain definite standard for the subsidized schools. In 1870, a still further extension of central control took place. Up to that time the central committee had acted merely as a dispensing agency for the parliamentary appropriations and in this way alone had been enabled to annex certain conditions to each grant of financial assistance, but it was now definitely charged with the establishment and maintenance of an efficient system

of primary education. To this end the committee was also, empowered, in cases where an adequate standard could not be maintained by means of subsidies to private schools, to establish public schools. These public schools then gave rise to still another administrative subdivision, the school district, which was placed under the immediate care of a school board. Finally, in 1876, compulsory attendance was introduced and for this purpose special attendance committees elected in each district.

The local public schools are supported principally by district taxation; the practice of granting important sums of money to both the private and public schools from the central government is, however, still maintained. In this respect the powers of the central authority, the committee on education, have not changed; its powers of direct control and supervision over the public schools, on the contrary, have increased to such an extent as to illustrate most forcibly the progress of administrative centralization in this important field of state activity. It should be mentioned that the school districts often coincide territorially with unions of parishes, boroughs or sanitary districts (local government districts, as they are called), but that even in such cases the administrative organization is, as far as possible, kept separate.

There now remain but two important measures to be described in order to complete this somewhat brief outline of the movement which began in 1834; these are the law of 1888, providing for the reorganization of the county and borough, and that of 1894, concerning the re-establishment of the administrative parish. The two measures named are the most important of the entire series of legislative acts on the subject that have been passed since the initial law of 1834. Not only do they bring to a close the great movement toward centralization whose portrayal is the object of this sketch, but they also mark the definite return of that spirit of local autonomy and decentralization in administrative

matters which has always appeared as an essential factor in the English political system. It may be said, therefore, that with these two acts, that balance of powers between the central and local bodies, which is the crucial point in all methods, of administrative organization has once more been restored in England.

The law of 1888 was based primarily on the desire to extend to the county organization those principles which were already embodied in the acts creating or organizing the other local bodies. The most important of these ideas were, as we have seen, the establishment of an effective control by the central government, the co-operation of wider circles of the people in the conduct of local affairs and the increased dependence of local administrative officers upon the will of the people, or, expressed more briefly, the centralization and "popularization" of the administration. Previous to 1888 almost the entire county administration was in the hands of the "quarter sessions," a court composed of the justices of the peace in the county. The new law simply divided their judicial from their purely administrative functions and transferred the latter to an elected assembly, the county council, in imitation of the borough organization. This left the sessions of the justices of the peace with a judicial competence. The newly created administrative council is mainly a deliberative body; its resolutions and ordinances are executed by the board of aldermen, a committee elected by the council from its own members. Beside those functions more properly belonging to the county administration, the council and aldermen are also given certain powers of control and supervision over the subordinate districts, parishes and unions within the county limits. The council may approve parish loans within certain limits, may itself lend money to the parishes, may grant subsidies to districts for highway administration, may fix the number of councillors in a parish, etc. In its turn, however, the county organization has

been directly subordinated to the central Local Government Board and other central authorities in their respective fields. Finally, the law of 1888, contains a provision of the highest importance to the effect that the Local Government Board, if it sees fit, may transfer to the county still wider and more extensive functions of local administration, and may transfer even such powers as are within the competence of the various secretaries of the central government, of the central committee of primary education already mentioned, of the central Board of Trade or of the Local Government Board itself. It is true that in all these cases the approval of Parliament is necessary, yet in practice the Local Government Board, in the numerous instances which require its attention, has acted with such mature deliberation and with such a thorough knowledge of the case that its recommendations are almost invariably adopted without hesitation.

Before discussing the organization and activity of the Local Government Board, it will be necessary to dwell for a moment on the last of the series of laws intended to effect the reorganization of English local government. The parish was gradually shorn of all its most important functions by the legislation already described. The union of parishes had absorbed the more essential powers in relation to poor-relief, the county had been given the control of the local police by the law of 1856, sanitary or "local government" districts had been created for carrying into execution the laws relating to the public health, and, in numerous instances, highway districts had been created for the maintenance of roads. The parish seemed to have lost all vitality and importance as an administrative unit. The great disadvantages of such a condition are evident. The parish, or commune, as a centre of local life, forms a natural basis for an administrative organization and this fact has been recognized in the local institutions of all modern countries. The chief importance of the act of 1894 lies in its successful

rejuvenation of this, the fundamental unit of rural administration. The well-known, superannuated parish vestry of former times was supplanted by two new bodies,—by the parish meeting, composed of all electors and based, in its internal activity, on the democratic principle "one man, one vote," and, in parishes with a population of 300 and over, by an additional parish council, of from five to fifteen members elected by the meeting. The more important powers and duties of the parish organization are: taxation, within certain limits fixed by law; loans, when approved by the county board if within certain limits, by the Local Government Board if above those limits; the supervision of charitable institutions within the parish; the surveillance of certain conditions affecting the public health; the adoption of such general laws as have been subjected by Parliament to local option, e. g., regulations of police, lighting, public baths, libraries, burial places, etc.

Although in many of these provisions the element of central control is strongly developed, as, for instance the fact that the sale or exchange of parish realty requires the approval of the Local Government Board, yet there is a marked and definite measure of decentralization shown in the general trend of the law of 1894 as well as of the act of 1888. Without doubt a return to the period of extreme local independence and self-sufficiency is of necessity entirely precluded. Nevertheless by utilizing that most natural of all foundations, the physical fact of close proximity and daily contact and communication of citizens with each other, as a basis on which to build, or rather to rebuild, the parish as an administrative unit, a decided strengthening of local institutions and a corresponding increase in their practical importance has been secured. Again, while adequate provision for central control, direction and supervision has been made, it has nevertheless been possible in consequence of the acts of 1888 and other years to infuse new life, vigor and efficiency into the

organs of local administration by transferring to the local bodies on the recommendation of the Local Government Board such administrative powers as are not considered essential to the central government.

The legislation thus far outlined, involves an enormous increase in central power, and has brought with it important additions to the organization of the central government. The new administrative machinery which has thus resulted, though somewhat complicated in detail, is yet comparatively simple in outline, and is remarkably well adapted to the peculiarities of the system. Aside from the cabinet secretaries, who exercise a control over their respective fields of competence, and the committee of primary education already mentioned, the main part of the work in the central organization falls to the Local Government Board.

The origin of this body has already been traced to the consolidation, in 1871, of the central Poor Law Board with the central Board of Health. The new board resulting from this union consists nominally of a president appointed by the Crown, the President of the Council, the Chancellor of the Exchequer and two others, usually members of the Cabinet. As a rule, however, the functions of the board are performed in practice by the president and two paid secretaries. In addition there is of course a host of subordinate officials, legal counsel, assistant secretaries, inspectors-general, inspectors of local finances, of work-house schools, district auditors, sanitary engineers, medical officials and other technical specialists.

In establishing any system of central administrative control over local bodies the question naturally arises, how is a satisfactory connection to be secured between the central authorities and the local organizations? Two general methods of securing this end were at the disposal of the English legislator; first, that in vogue on the Continent, which consists in the establishment of intermediate or

"provincial" offices, which transmit the instructions and regulations of the central authorities to the local organs, and are charged at the same time with a sort of guardianship over the local bodies; and, second, the establishment of a corps of commissioners and inspectors who keep the central government constantly informed as to the condition of the local bodies, examine local finances and accounts and report on the efficiency of local administration in all its more important details. The Anglo-Saxon looks with no great favor upon a carefully adjusted, symmetrically constructed administrative hierarchy. Nevertheless the relations of the Local Government Board to the county and of the county to the unions, districts and parishes would seem to show some slight influence of Continental and more particularly of French administrative ideas in England. In the main, however, the burden of this task of maintaining a central control over the local administration falls upon machinery organized according to the second method above mentioned. Inspectors, auditors, commissioners are sent out by the central offices to investigate and report on administrative affairs in the various localities. The reports of these agents as well as their recommendations are then made the basis of action taken by the central board.

This may best be illustrated by a brief reference to the powers and activity of the Local Government Board, and its methods of procedure. One of the principal functions of the board is, the approval, rejection or amendment of local by-laws. Again, in the administration of the poor-laws the control and supervision of the central board are especially important and far-reaching; both general and special orders and instructions are issued to the various unions; the composition of meals in the workhouses, the hours of rising and retiring, the hours of work, etc., have all been touched upon more or less in detail by these regulations. The regulating and supervisory activity of the board extends then, in effect, not only to the approval of measures

taken by the local bodies, but also to the issue of positive regulations on its own authority. Under this last-mentioned category would come also those measures taken by the central authority in case of epidemics threatened in wide sections of the country; here the board issues rules relating to ventilation, disinfection, burial, etc.

If we were classifying the functions of the board it would be necessary to place in a third category those important powers exercised in connection with parliamentary acts intended to change the organization and functions of particular local bodies. This special legislation, as it is called in America, is in all cases referred to the board before any legislative action is taken. The board subjects the proposed bill to a critical analysis, orders a thorough investigation by its inspectors and finally, on the basis of the information thus secured reaches a conclusion on the questions involved. This conclusion is then embodied in a formal recommendation to parliament. Such a case illustrates clearly the practical operation as well as the importance of the administrative machinery intended to establish a connection between the central offices and the various localities. A more typical illustration may, however, be seen in the second category of powers above mentioned, viz., the issue of positive commands and injunctions by the board itself. If the parish meeting or council refuses to vote adequate taxes for the purposes assigned by law the local government board may at once intervene and order the amount to be raised; if a parish authority should go so far as to persist in its disobedience to the law, the central board may appoint some person to levy the required taxes and superintend their expenditure for the purposes of parish administration. Somewhat similar powers over the unions of parishes, districts and other local bodies are conferred on the board. Further, each local organization is visited by inspectors of finance and auditors who examine and audit the local accounts at least once, and in some cases twice,

each year. In addition to this there exists a rigid inspection of the local districts, by special medical and school inspectors.

The objects of this organization are to compel the execution by the local bodies of those duties committed to their care, and, to prevent these same local bodies from exceeding the legal limits of their power. Without such a control by the central authority it is not at all improbable that the local organizations, composed of elected boards and councils, and feeling no responsibility except to their electors, might frequently become unmanageable, thus rendering futile for a considerable length of time all efforts to secure a harmonious and efficient administration of local affairs. The central thought of the legislator has been that local administration, though concerned primarily with matters of local interest is nevertheless rapidly becoming of such national import as to render necessary the establishment of a moderate but efficient central control. For this reason, and in the way above described, a practically continuous supervision of the local by the central organization is firmly established and this, too, for the most part, without the aid of those cumbersome and time-consuming intermediate bodies so much in vogue on the Continent.

This description of the organization and powers of the local government board ends our sketch of the historical development of centralization and of its accompanying changes in the administrative organization of England. It must be remembered that in practice the organization is by no means so symmetrical as would appear from the outline just given. There are urban and rural sanitary districts, each with different powers; there are districts and unions of parishes which coincide territorially; finally, numerous changes in the organization and powers of particular local bodies have been introduced by special legislation. Certain important changes have also occurred in municipal organization, particularly in the borough; the character of these

changes, however, has not been essentially different from those that have taken place in the rural bodies. It may, be said that these variations in the local organization though confusing to the student of the English system, by no means affect the conclusions at which we have thus far arrived.

The conclusion of the foregoing study is that there are three general periods in the development of the present organization of local administration in England:—

First, that of the struggle between the crown and the nobles, in which the latter were victorious. By this victory the nobles gradually secured control of the local administration, and this control was subsequently transferred in part to the landed gentry. This is the period of extreme and aristocratic decentralization.

Second, following on a radical change in economic and social conditions, there comes a fundamental political reform, which leads also to the establishment of new organs of local administration more directly in sympathy with the people. At the same time, a marked and important extension of state activity takes place and the great importance of the new duties thus confronting the local bodies renders necessary the establishment of a strong central control. This period, lasting from 1834 to the present time, may be looked on as the era of centralization and popularization.

Third, in the laws of 1888 and 1894 may be found signs of a new tendency. The re-establishment of the parish, though under central control, has led to a comparative strengthening of local institutions. Similarly the transfer from the central to the local organization of those powers not deemed essential to the maintenance of an efficient central control marks the definite close of the era of centralization.

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THE PHILOSOPHICAL BASIS OF ECONOMICS:*

A WORD TO THE SOCIOLOGISTS.

This paper is a study in social causation. Its aim is to show that the acts of men in society, social institutions, and social changes are the creation of the choices of individuals. Individual choice, however, is governed by the economic law—greatest satisfaction with least sacrifice; greatest utility at least cost.

The fundamental and general science of man's activities, therefore, is economics. Economic science, if it would fill out its legitimate scope, must follow the workings of the

* The following is a summary of the argument: *INTRODUCTION.—The Problem—*The nature of social causation. *Theses.*—1. The sociological point of view wrong. Social causation is psychical, and psychical processes are acts of individuals. 2. The economic point of view correct. The principle of utility or economic selection, the universal law of social causation.

I. *The Psychical Nature of Man's Activities, Both Individual and Social.*—1. Neglect of psychical phenomena by modern science. 2. Reality of psychical phenomena and their separateness from physical phenomena. 3. To deny this reality and this separateness is to deny the possibility of knowledge, for they rest upon the common basis of all knowledge—the unproved but universal assertion of individual minds. 4. The human will as cause.

II. *The Individualistic Nature of Psychical Activities: Social Organization Created by the Individual.*—1. The integrity of the individual universally attested by consciousness. 2. The individual in his three-fold environment; (a) self, (b) social environment, (c) physical environment. 3. The individual, by following his individual choices, creates social institutions and social activities.

III. *Utility, i. e., Economic Selection, the Law of Individualistic Activities: Social Causation Teleological.*—1. Utility, the general principle of individual choice in all activities, whether for preservation or development. 2. "Fitness," as the law of physical evolution, identical with "utility," as the law of psychical evolution. 3. Utility, the principle of economic choice.

IV. *Economics, as the Science of Utility, the Master Science of Psychical Activities.*—1. Relativity of classifications of the sciences. 2. Sciences, physical and psychical. 3. The grouping of special sciences under a master science. 4. Economics as the science of the fundamental principles of psychical activity, is inherently the master science of society.

V. *Sociology, One of the Special Economic Sciences.*—1. Tendencies of sociology and economics contrasted. 2. Sociology not a master science of psychical activity. (a) Its physical point of view unintelligible in a psychical science. (b) Its personification of "society" erroneous, involving negation of the individual. (c) It cannot include individualistic sciences such as economics. 3. Sociology, in fact, the science of social organization, and social organization is a process of economic selection.

economic law into all the lines of man's choice and into the formation and change of all social institutions. The self-conscious, self-willing, self-acting individual is the unit of investigation. Social causation must be traced along lines of psychical not physical forces. Society itself is the creation of choice and choice is always essentially economic. In other words society must be studied primarily in its relation to individual mind—not in its relation to the physical cosmos.

The principle of evolution by which the natural scientist explains the processes of physical change becomes the principle of utility when the processes of social change are involved. Physical processes are fortuitous, unplanned. Man's activities are teleological, economic. In the former, the adjustment of part to part, the "fitness" which survives, are unarranged and unforeseeable; but men foresee and fore-ordain adjustment between their environment and themselves. The principle of utility, as it has been worked out in economic science, is thus simply the principle of evolution seen upon its psychical side—teleological evolution. "Economic selection" expresses the evolutionary process of psychical life.

That science of men in society which undertakes to apply to human activities the physical form of the evolutionary principle rests upon fallacies. Current sociology does not, in general, make man's activities intelligible.

It is, then, to economics, not to this sociology, that we must look for the explanation of social evolution.

I.—THE PSYCHICAL NATURE OF MAN'S ACTIVITIES, BOTH INDIVIDUAL AND SOCIAL.

The science of this century is distinctly physical science. Its results have been mainly achieved by the systematic and widely organized labor of a large number of specialists who have observed and collated facts. The typical scientist is apt to regard any study which does not proceed by first

hand observation of single facts as "metaphysical" and untrustworthy. He scorns philosophy and deductive thinking. He pushes his distrust of the psychical to the extreme of studying only the physical. Matter and its activities are to him the only reality, and no method of research is reliable except induction. Philosophy is a mere figment of the brain. True science sees with eyes, hears with ears, feels with fingers, rests only on tangible evidence. Primary sensations are the only raw truth; inductive arrangement of these the only trustworthy mode of thought.

This tendency of modern science to deny reality to the psychical world, and validity to any but physical tests of knowledge involves a radical fallacy. Rigorously followed out it compels denial of the possibility of knowledge.

All sensation, so far as it results in knowledge, is a judgment of mind, *i. e.*, a psychical phenomenon. The only ultimate criterion of truth for men is the agreement of men's judgments. This is a psychical fact. The postulates of every science are simply concepts universally held, and concepts are psychical facts. This universal agreement may not create the fact, but it is the only final test of the existence of the fact. It creates the *known* fact. Science itself, therefore, is a psychical creation.

The beginning of all knowledge is the recognition of the reality of the individual mind—the *Ego*. If the validity of the primary judgments of this *Ego* be not granted, there is no warrant for the validity of any science. The reality of the physical world is attested by weaker evidence than is the reality of the psychical world. Rather, be it said, the reality of both rests upon the same primary judgment of the *Ego*. The primary assertion "I see," affirms the reality not only of the "seer," but also of the "seen."

Science, then, to get any basis for itself must recognize the reality of the psychical fact—the *Ego*—and the validity of its primary judgments, likewise psychical facts.

This psychical *Ego*, to deny whose existence is suicidal to

science, is the source of various other psychical phenomena which science must study, if it would be consistent. The *Ego*, or the individual mind, thinks, dreams, sings, builds houses and temples and systems of theology. It works in association with other minds, like itself, and produces laws and a political organization and various social institutions. It changes the flora and fauna of the continents. It plans and shapes the destinies of other men. These are all phenomena as real as the flora and the fauna themselves. Yet they are psychical phenomena, neglected by the positive science of the age. The reality of this world of psychical phenomena is attested by the same evidence which science accepts in the case of physical phenomena, the primary assertions of mind.

Scientific research is a sort of legislative process, consisting of the work of investigating committees, general debate, and vote-taking. A majority-vote gives only tentative certainty to scientific "laws." A real "truth" requires practically a unanimous vote. And every promulgated law is liable to change at the next vote. If it were the persistent conviction of ten men in every hundred that two plus two do not equal four, we could not have absolute certainty as to the proposition.

Modern science is not different in its real methods, or in its ultimate tests of truth from the earlier philosophies. It is more careful to eliminate "personal equation." But its great superiority is its democratic character. It seeks so to trace out the line of causation, through the complexity of the whole, into the simple concrete fact, that the relation of this fact to the whole becomes self-evident to all. It is paralleling in the realm of knowledge the march of modern democracy in the state, greater complexity in the mechanism as a whole, greater simplicity in the concrete detail. All scientific laws rest ultimately for their validity upon the affirmative unanimous vote in a universal referendum. Upon all established principles of science a thought universally

appearing is true. Otherwise the postulates of science, its primary facts, may be false.

The same conclusion is reached by assuming the standpoint of extreme materialism, viz., that psychical phenomena are purely and essentially material. Thoughts, thus, are phenomena of matter to be explained by the same laws of causation. A thought is a judgment as to the reality of some thing. As the cause of a reflection in a mirror is the existence of the thing reflected, so the cause of the thought is the existence of the thing thought. Universal thoughts can be explained in no other way. If thought is a necessary product, a universal thought must be a correct thought. This is a *reductio ad absurdum* of the materialistic premise; for the one universal thought is the assertion of the existence of the *Ego*—the psychical individual—and with him the affirmation of various other truly psychic phenomena. The inevitableness of the assertion of mind that the *Ego* exists as a psychic entity, a soul, is the supreme proof of the existence of this soul.

Besides the reality of the psychical world which is thus proved another fundamental primary judgment must be emphasized—namely, the separateness between this psychical world and the physical. To say "I know" asserts the separateness between the knower and the known. The separateness between the physical and psychical, their antithetical character, is asserted by the universal judgment of men. To deny it then is to cut the ground from under all knowledge. Universal thoughts are scientific truths.

In these last years, science has begun to recognize its former unscientific neglect of psychical phenomena and is rapidly directing research into religion, folk-lore, language, arts, customs, governments, industries, and other subjective activities of men. In these efforts, however, science has shown a dangerous tendency to use methods, and to assume points of view characteristic of physical science. This is essentially unscientific. It must be recognized that in studying

characteristic human activities, whether individual or social, we have a new order of facts essentially different from the physical. The distinctively human activities are psychical. Mind is the dividing fact between these two orders of phenomena. Mind acts as a self-conscious, self-willing, self-acting force. It chooses ends and uses means to reach these ends.*

Psychical processes are thus directed by mind toward chosen ends while physical processes go on, independently of any discoverable teleology. Whatever may be the fact as to teleology in the physical world, man's activity is essentially teleological. Science must recognize this fact and must study human activities, not as physical phenomena, but as psychical. Science cannot explain the existence of a railroad in the same manner that it explains the existence of a river. The forces which produced the railroad are not explicable by physical laws. A railroad is a psychical institution. It is a complex of physical forces, it is true, viewed simply upon its mechanical side, and as such can be studied by the physical scientist. But as a railroad it is psychical, and is the outcome of teleological activity. Individual men, conscious of wants inadequately satisfied, have co-operated in making such transformation of physical forces, and such adjustment of human activities that a railroad is produced. Causation in case of the railroad is essentially of a different order from causation in case of the river. The active or efficient cause is the human will.

Niagara may be studied by both physical and psychical sciences. The physicist and the geologist both explain it as a complex of physical forces, irrespective of the existence of mind. The artist, the politician, and the economist, on the other hand, inquire, its physical properties being what they are, how it may be teleologically transformed to serve the conscious ends of life.

*This distinction between the psychical and the physical is well expressed in James' "Psychology," where he asserts: "The pursuance of future ends and the choice of means for their attainment are thus the mark and the criterion of the presence of [mind]."

These psychical sciences are as clear in their scope as are the physical sciences. Mind is no more elusive a fact for science than "matter" or "force." The modern text-books of chemistry and of physics show the same incapacity to state what is the real subject matter of these sciences as do our economic text-books. Not "beginnings," but "processes," has become the watchword of all science. The relative vagueness in economics and other psychical sciences is due not to greater uncertainty as to postulates, but to the greater complexity of phenomena.

What then is most emphatically demanded in the sciences which study men in society, is the clear realization of the reality of subjective phenomena—the same reality recognized by us all in practical life. Public opinion is as real a barrier to crime as is physical force. The politician recognizes that a vote, which is a mere utterance of individual opinion, is a real thing—as real as the stones in the legislative hall. The subtle motives of men which lead them to vote as they do, are measured and directed by this politician. These votes, these motives, are real things, and science must appreciate this as well as the politician.

We are perfectly aware of these psychical realities in the midst of which we live,—public opinion, law, custom, social institutions, traditional morality, courtesy of friendship and of business, customary prices—facts all—intangible creations of the minds of the members of society. The student of political and economic science must likewise get this practical grasp of the fact that these things which make society are psychical forces and no less real than the physical.

All factors in a result are causes, and the human will which organizes physical and social forces to achieve certain results, is clearly one of these causes. Moreover, since it is the one cause which differentiates psychical processes from physical, it is imperative to write psychical causation in terms of human will. The efficient cause is man's choice. To make social activity intelligible to us, therefore, science

must so explain it. To explain the Tower of London by the same principle of causation as the river Thames—as the unexplained fortuitous result of physical forces—contradicts the universal affirmations of consciousness. Science must conform to the nature of the human mind and must thus explain human achievement as to the teleological result of forces guided by human intelligence. Man's will thus becomes the dominating element in social causation.

II.—THE INDIVIDUALISTIC NATURE OF PSYCHICAL ACTIVITIES: SOCIAL ORGANIZATION CREATED BY THE INDIVIDUAL.

It has been shown that the social forces are psychical in nature. It is necessary to show that psychical forces proceed from the acts of individual minds, and how, upon this individual basis, the structure of society is built up and social activities are carried on.

The recognition of the existence and the integrity of the individual is the beginning of all knowledge. "*Cogito, ergo sum*," expresses the fundamental truth of science. "*Volo, ergo sum*," is equally true. The *Ego*—its integrity—and its psychical nature are the best evidenced of all facts. Bound up with the consciousness of self-existence is the consciousness of the power of self-choice and self-action. The power of the individual through his will, causally to shape change in the processes of the mind, is as clear to the consciousness as is existence itself.

The individual with his wants, his choices, and his self-directed activities, is the starting point in the scientific investigation of social phenomena and the end of all social science as well. The reason for this lies near at hand. Since human choice is the large, the controlling force in social causation, we must perforce take the individual as the integral unit, for there is no choice, but individual choice. The term "social will" is an acknowledged metaphor.

Starting thus, an analysis of the relations of the individual

becomes necessary. The individual recognizes himself in a threefold sphere of relations, viz., (1) to himself, (2) to others like himself—the social environment—and to (3) his physical or cosmic environment. The psychical sciences express this analysis. Jurisprudence, for example, studies the operation of the individual will in relation to the individual himself, in relation to other persons, and in relation to things. Psychology, likewise, treats of the individual mind as having knowledge of itself and of the external world, consisting of other minds and of physical nature. In ethics, also—the science of ultimate harmony in choice—the relations of the individual will are studied with reference to harmony with itself, with other wills, and with the Absolute—the whole non-human world.

Economics, like all the psychical sciences, rests upon this fundamental antithesis between the subjective and the objective view of the world. It studies the relations of the individual regarding the satisfaction of his wants, in utilizing himself, society, and nature. The traditional economics has dealt little with the individual's economic utilization of himself. The satisfaction which a man feels with his own mental and physical powers, the pleasures of athletic exercise, the self-contemplation of the religious devotee, are, however, economic satisfactions and would have place in a complete system. Man's utilization of other men has, likewise, been very inadequately treated by economists. "Society" is a great field for economic exploitation by the individual. Direct personal service is an instance of the economic utilization of some men by others. When the president of a railroad finds that the production of a crop of laws is one of the most profitable uses to which he can apply his undertaking skill and his capital, the transaction is as distinctly economic as when he puts skill and capital into the physical construction of his railroad. The tramp and the burglar, living as parasites upon the rest of society, are clearly within the field of economic study. Into whatever

region the individual man turns to seek satisfaction for his wants, the economist must follow him and describe and explain what he does. The satisfaction which the friendship of his fellow yields a man is an economic satisfaction. Some men live and work mainly for the esteem they gain.

Society, then, is a part, in a highly developed civilization the larger part, of the external economic world of the individual. Few of us habitually touch nature at first hand. It is through social organization that our lives can be rich. Economic science must study these psychical realities just as the economic man utilizes them in actual life. He cannot assume a social standpoint simply and say that the whole field of economic activity is nature. There is interplay at every point between the satisfaction which flows from physical nature to man and that which individuals draw from direct contact with other individuals.

Economic forces, thus, in their last analysis, find their beginning in the minds of individuals. Individuals feel wants, recognize their environment, judge of the means necessary to attain satisfaction of these wants, value the relative importance of various satisfactions and the disagreeableness of various efforts involved, make choices accordingly and pursue those ends. Whatever be the force of public law or opinion, it stands as an objective fact to the individual, just as real as the laws of the physical world, and must be dealt with by the individual as a part of his environment. It contains sources of satisfaction to him or hindrances to his satisfaction as the case may be. The market price of food may force the hungry man to starve close to full storehouses of food, just as truly as if he were five hundred miles from food, adrift on the barren sea. This market price has importance solely with reference to its effects upon individuals. And again, this market price, while an objective fact to every individual as regards his personal wants and their satisfaction, is itself resolvable into the valuations of the individual minds making up the

market. There is no such unity in society that we can speak of a social will, irrespective of the individual wills, which decide and move the whole mass. All social action is a resultant of the forces set in motion by individual wills, and science can only explain these activities by tracing them to their starting point in the choices of individuals.

Not only are social activities best explained by resolution into the acts and choices of individuals, but the very structure of society itself—the social groups—must be so explained. The family, for instance, is the result of the choices of individuals. The lines of causation of political and religious groups and institutions run out from individual wills as their starting point. Not only so, but they are maintained and persist only in the persistence of such choices. The state is nothing other than a series of associated choices and acts of individuals. It is only a part of one's self which is present in the state. The state is maintained only as individuals continue to act together in certain relations. In such sense, the "social compact" theory is true. Any explanation of the state which does not find the causes of its existence and its development in the conscious acts of individuals does not find the distinctive nature of social causation. The same country, physically considered, is the home in historic succession of very different nations. The difference is due, not to the character of physical surroundings, but to psychical differences. It is not even biological differences between the North American Indian and the European which have changed the course of history in this continent. It is the psychical differences of the two peoples. Again it is the psychical differences between the Spaniard and the Englishman which have made the latter the successful colonizer of America. Further, at every stage of growth of English settlement in America the form of government, the nature of the political organization, are only to be explained by analysing the facts backward into the choices of the individuals concerned. They have,

at every step, made the state. They have changed it and developed it. A state is thus built out of human choices. Its nature and its fibre are subjective. Political structure is nothing other than a system of habitual choices of the individuals who constitute it. It is nowhere physical or tangible. It cannot be squared to the tests of physical science. The stuff which makes it is the desires and the will of its individual constituents. We understand this as practical politicians. As scientific sociologists we befog it with metaphors about the body politic.

There is no grouping of individuals into family, religious, political, or industrial bodies which merges the wants, the interests, the capacities, the choices, the activities of the individual in the life of the body. Always and everywhere the individual stands alone. The kernel of his life is in himself. The very idiot has an individuality which initiates action upon his part and which the rest of society respects. Not even conjugal love robs wife or man of that egoism which is the larger essence of manhood. All religious and political systems, all associations of men which have not been based upon this eternal separateness and initiatory power of individuals have failed of large progress. That religion and that political philosophy which preach the individual will as the unit of responsibility and the final arbiter—protestant christianity and democracy—are to-day holding in their hands the potentiality and the responsibility of the world's progress.

All consumption is individual. It cannot be "socialized." A painting in a public museum is not socially consumed. Each individual *alone* finds in it the satisfaction of his æsthetic want. All consumption resolves itself into appropriation by the individual of goods fitted for his use. Consumption is a psychical act and as such belongs to the individual.

In law, no other principle than individual responsibility has been found adequate to maintain order. The stability

of civilized society rests upon this principle. In education there is no vicarious acquisition of knowledge. The development and realization of every life rests ultimately upon its own choice. The psychical structures which we call social institutions are simply individual choices hardened into habits. The science of social man must stick closely to this fundamental fact and build upon it.

III.—UTILITY, I. E., ECONOMIC SELECTION, THE LAW OF
INDIVIDUALISTIC ACTIVITIES ; SOCIAL
CAUSATION TELEOLOGICAL.

Is the individualistic explanation of society, found in the classical economy, adequate to explain social evolution? It was the impulse given to scientific thought by the theory of evolution which gave us the "historical school" of political economy and the modern sociology. It is not, however, difficult to show that this principle of evolution wrought out in the physical world has been applied with crude haste to psychical phenomena, and that what is now needed is a simple return to the older economics to find the true principle of psychical evolution. It was Malthus' doctrine of population, indeed, as Darwin himself confesses, which gave the great naturalist the principle expressed in his evolutionary formula, the "the struggle for existence" ending in the "survival of the fittest." Now the essential principle in the Malthusian doctrine of population is that social evolution depends on the choice of the individual in respect to his use of the processes of re-production. Social evolution—its direction and its rate of movement—is dependent on the relative estimation put by individuals upon present pleasure or future welfare. Again the general evolutionary formula of Herbert Spencer, concurrent differentiation of parts with integration of the whole, is nothing more than a generalization of Adam Smith's principle of division of labor. In Smith's treatment is contained the principle that social evolution in material welfare is dependent upon the efficient

growth of division of labor. This evolutionary agency of division of labor is merely the application in complex production of the principle of utility to the individual.

In applying the physical formulæ of evolution to psychical phenomena, sociologists are guilty of unscientific procedure. True science adapts its formulæ to the matter in hand. The physical formulæ of evolution are statements of unexplained fortuitous change. The "fitness" which survives is an unforeseen fitness, an adjustment wrought out in consequence of the struggle. Psychical activities on the contrary are essentially teleological. They are directed to ends. The "fitness" in social adjustments is foreseeable, prearranged. Further than that, this fitness is nothing other than "utility" to the individual. The individual, seeking his highest utility, chooses those means which are fit. The principle of utility is the principle of evolution in the psychical world. The general economic law—the pursuit of the greatest utility with the least sacrifice—is simply the psychical form of the physical law of evolution—the survival of the fittest. The "fitness" of physical evolution is adjustment which enables persistence and growth. Such is likewise the "utility" of psychical evolution. The difference between the two is that the science of physical evolution regards environment as dominant, and speaks of the fitness of the subject to be adapted to the environment, while economics regards the environment as servient, and calls by the name of utility the fitness in environment to be adapted to the subject. Utility is the subjective name for fitness, and fitness is the objective name for utility.

This utility which explains not merely the activities of men at any given time, but their evolution as well is identical in the long run with the utility of the economists. Yet all forms of choice can be expressed by this term. The religious motives of men are measurable against the wealth-getting motive. Practically men decide every day the relative worth of uprightness and wealth, and they decide this upon

the principle of utility, that is, upon the relative amount of want satisfying power in the two courses of action. The quality of the two wants is, of course, considered but the mind finds some means of estimating their value.

College professors have been known to regard the sum of large honor plus small salary attached to a chair in one university as more than an economic equivalent for large salary plus small honor in another university. The Founder of Christianity raises the question whether there is greater profit in gaining the whole world or in saving one's soul. The principle of choice is always the same, viz., the weighing of the relative worth of two courses of action. The analysis of this process of choice has been worked out more fully and satisfactorily by the economists than by any other body of scientists.

This point should receive further elaboration, but let it suffice to say here that all forms of want, æsthetic, ethical, physical, are commensurable as motives in the individual mind. The term want is generic and applies to all human desire. The corresponding term utility is also generic and applies to all things capable of satisfying want. This is the plain fact of life. Our science must recognize it.

Utility, then, as the evolutionary principle, shows itself in the quality of man's choices. If he is narrowly egoistic he finds greater utility in satisfying those desires which are centered in his own person. If he is patriotic he finds more utility in devoting his life to his country's service. Again, if he is short-sighted, he finds greater utility in satisfying immediate wants. If, however, he appreciates the future, he plans far ahead and builds up great social institutions, such as capital, the division of labor, and the state.

The direction of social change depends thus upon the utilitarian choices of individuals, and these choices are in their last analysis economic choices. In other words the economic law—greatest utility with least sacrifice—is the generic law of human activity, both that which is directed

to preserve the status and that which aims at social evolution.

IV.—ECONOMICS, AS THE SCIENCE OF UTILITY, THE MASTER SCIENCE OF PSYCHICAL ACTIVITIES.

The universality of the principle of utility as the determinant in human choice has been established. Utility has likewise been identified with the generic law of economic life. It is necessary to classify the sciences from this point of view.

The separation of phenomena by our consciousness, in its primary judgments, into the two classes, physical and psychical, compels a corresponding division of the sciences.

Since the only function of science is to make the world of phenomena intelligible to men, definition and classification must be relative to the forms and modes of human thought.

The essential form of thought, as we have seen, is the antithetic opposition of individual subject (*Ego*) to object. As the individual generalizes this mode of thought he admits into the category of subject other minds, and thus the general antithesis is reached between Mind and Matter. The recognition, then, of the fundamental difference between the psychical sciences and the physical is the first step in the classification of the sciences.

The physical scientist, with strange inconsistency often proceeds upon the hypothesis that the mind is in some way outside the natural order of things. He sometimes forgets that the nature of mind is the most fundamental fact in all knowledge and imposes itself imperatively upon science. Universal judgments are, then, not negligible phenomena, as he would sometimes have us believe, but are the very warp of science. Conformity to the nature of thought is then the final test of science.

Another principle of classification of the sciences, imposed by the nature of mind, is the grouping of special branches of investigation under certain general sciences. The mind

can understand the multitude of things only by seeing them in synthetic unities, from certain central points of view. The necessity for this appears equally real from the history of science. The multitude of special sciences, for example, which deal with the physical world have been gradually brought into a system under three general or master sciences, physics, chemistry, biology. With the progress of knowledge the master science becomes a body of fundamental principles forming the framework of all the special sciences in its group. The principle of classification is not a division of the field among these master sciences, but rather the assumption of characteristic standpoints. Physics studies all matter in its physical activities; chemistry studies the chemical phenomena of all matter; biology studies matter alive. It is apart from my purpose to define "physical" or "chemical" or "alive," but I wish to illustrate the truth that all these general sciences may study the same facts and that the scope and limits of such sciences depend on the point of view, on the kind of relations to be observed. It is enough that from these three points of view the world of matter is made intelligible to us. The standpoints assumed by these sciences are, to the men of our day, naturally chosen to give a picture of the physical world at once complete, minute and harmonious. The long process of science and philosophy thus gives to every age a co-ordination of knowledge fitted to the intellectual needs of the age. The requisite harmony in the view of the world can only be gained by simplicity in the general plan of scientific classification. There must be only a few general points of view, the relations between which can be easily grasped. Hand in hand with the multiplication of special lines of scientific inquiry goes this synthetic tendency toward the organization of all sciences into systems.

In the psychical sciences, likewise, certain general points of view are assumed, from each of which the whole world of fact can be observed. Here, also, the fields of inquiry may

overlap, and the different sciences may study in a measure the same facts. Each general science, however, has a different set of relations to establish. The aim of psychical science must be to choose such general points of view that the relations between them are naturally understood. In this way the whole world of psychical phenomena may become clearly mapped out and rendered intelligible.

Indeed, it would be found that the same necessity exists of ultimately co-ordinating the physical and the psychical sciences. Both the physical geographer and the economist must study the results of the destruction of the forests by man. In case of the former, however, the point of view is that of the physical development of the earth, mind being studied as a merely physical cause; while the economist takes the standpoint of the economic development of man, mind being studied as a self-acting power which can change its course of action by its own choice, if it judges that the destruction of the forests works greater harm than benefit to man. These two radically opposed points of view may be harmonized by the assumption of an ultimate and essential unity in both orders of phenomena. Man reaches his highest happiness only by conformity to the requirements of this ultimate unity. While the economic man adapts the material forces in the forest to his own uses, he is seen to be the greater economist the more he recognizes the necessity of so limiting his present desires that the forests shall not be prematurely destroyed. In other words, he must adapt himself to the deep lying laws of forest growth, if he would make the largest use of nature. This is the line along which the great questions of economic progress recur. Here lies the heart of the problems of capital, of division and organization of labor, of individual or governmental control. Here, too, arises the vexed confusion between economics and ethics.

What, then, are these general psychical sciences? What place does economics hold in the scheme?

Psychology is the first of these sciences. The natural order of psychical activity is to know, to choose, to act. Consciousness first knows. It knows itself and its environment.* Psychology, thus, is the science of *knowing*. Even the anatomical and physiological studies of modern psychology are all from the point of view of learning how consciousness knows. Its physical studies start from the psychical standpoint. It is manifestly a psychical science throughout. Psychology deals with the nature, the mechanism, and the processes of consciousness itself. The psychological sciences form an ever increasing group of special sciences having the common aim of making clear the nature and methodology of knowledge.

The next of these general psychical sciences studies mind *utilizing* its environment. Utilization includes the processes of choice or valuation and of action, or the use of means to gain the ends chosen. The intellectual necessity of our time is a general science dealing with man's chosen activities—a science of practical life. Various sciences have dealt with parts of the subject. History, ethics, law, politics, political economy, and sociology have all groped forward in this direction. The time has come, however, for a master science which shall group together in a common relationship all these special inquiries by giving them a common starting point and method. Psychology may be relied upon to do this for consciousness itself, for man as a *knowing* thing. A new general science is needed to do this for man as a *practical* thing, for consciousness in action.

My claim is that such a science must explain all the conscious activities of men by reducing them to terms of the motives and choices of the individual consciousness. My further claim is that economics is pre-eminently the science fitted to hold this place. This science must study the

* "Psychology" says Professor James, "the science of finite individual minds, assumes as its data (1) thoughts and feelings, and (2) a physical world in time and space with which they co-exist and which (3) they know."

interaction of all motives which lead to choices and actions. It must reach the fundamental laws which apply to man's entire practical activity. All human self-directed conduct proceeds from choices which are valuations as to the relative good in certain courses of action.

In spite of the failures and the incompleteness of economics, it has gone farther than any other science in laying down the laws of value. It has developed in a very important branch of human conduct the fundamental laws of valuation. The "classical" English political economy, starting with one or two fundamental motives of man, wrought out a system which, within its limits, admirably expressed in scientific form the actual conduct of men. This system was attacked by the so-called "historical school" for the inadequacy of its premises, the faults of its method, and the narrowness of its field of observation. This critical attack was, in large part, an impulse from the scientific spirit of the age. It was just in the main, and successful in the main. Yet the historical school was simply a reformation of the older economics and did not destroy its continuity. The latest economics is strenuously re-examining the laws of value, using the results of that wider observation, the more scientific methods, and the larger premises called for by the scientific critics of the old economics. The "Austrian economists" and other founders of the "new economics" belong, at once, to the old "classical," and the modern "historical" schools. This it is which makes the present rejuvenescence of economics so full of promise.

The rallying point of this "new economics" is the marginal utility theory of value. The chief service, however, rendered to the science by this theory lies not in its direct importance as an explanation of value, but much more in its indirect results. It contains the logical necessity of finding the motive power of all economic life in the consciously felt desires of men. It shows that the bond

of unity in all economic phenomena is not wealth in the sense of physical things, but wealth as constituted by human desire and choice. It involves the existence of an economic utility and an economic value which are distinct from physical or mechanical utility and value, and which are in a true sense subjective, the creation of the mind. It involves the reality of these subjective facts and makes them the primary objects of economic study. A price, a vote, a credit, a preference to work an hour longer and gain an extra return, a passion for a ring of yellow metal, the reverence which rears a temple, a deliberate choice of a boy at eighteen to devote his life to the study of science instead of to the plough—such facts it shows to be psychical realities to be objectively studied. It involves the necessity of psychical measurements for these psychical facts, showing that no practicable measurement of motive exists but in human choice. It shows the possibility of exactness in such measurements by reducing these choices to valuations made in the unity of the individual consciousness between opposing forces.

Every man, economically considered, is both a wanter and a worker, a consumer and a producer. The same consciousness recognizes want and satisfaction; the same mind estimates the relative strength of motive power in an unsatisfied want and in the labor necessary to satisfy it. In this is also involved the teleological nature of economic activity. Economics deals with wants consciously felt, resources consciously perceived, and consciously directed to the end of gaining conscious satisfaction. It involves also the necessity, for the scientific explanation of value, of tracing motive back to its operation in the consciousness of the *individual*. In this theory also, as in the work of the "historical" school, is involved a bewildering extension of the scope of economics to include much which ethics has heretofore claimed, to take in, ultimately, the whole range of human motive.

The logical necessities of this new theory of value, even in its moderate form, involve all that this paper contends for. But, after all, this was all likewise contained in the economics of Adam Smith and of the classical school.

It has been shown that any adequate science of man and his conduct must find the initiative of that conduct in the individual will and its motives. No general science has yet studied the whole man from this point of view.

History suggests itself as a science capable of the requisite generalization. History studies all the activities of man and seeks to explain his whole psychical evolution. The standpoint of history is, furthermore, the right one. In history the will of the individual is the initiative, and all the achievements of civilization are the chosen ends of men within the limits of their environment. But history cannot deal with present or with future. History in fact is not one science but only a part of all sciences. The general science of man must study present conditions, must form forecasts and policies for the future. This, history proper can never do. History has, besides, no principle of cohesiveness. Art history, political history, industrial history, literary history and all other histories are, separately considered, simply parts of special sciences which we call æsthetics, politics, economics, and the science of language. The only unity is when they are grouped together in a so-called philosophy of history. No philosophy of history has yet wrought out a common system of fundamental principles which underlie all these varied lines of human conduct and give essential unity to man's whole psychical nature and activity. Such a philosophy of history is what we seek. When we find it, it will be a part of that general science now needed—the part which explains past evolution.

Neither law nor politics can furnish the basis for the master science we seek. However fully they are based upon the actions of individuals, they do not deal with individuals as such. No law, no politics, exist where an individual is

considered as alone. No general science of human conduct can ignore the solitary individual, although a solitary individual never exists. These sciences are special inquiries into the forms of association of men in society.

Æsthetics, economics, in the ordinary sense of the term, and ethics are sciences similar in many ways. They deal primarily, directly, and fundamentally with the feelings, thoughts, and judgments, of individuals with respect to their environment. They all, likewise, trace, or attempt to trace, the way in which these individual mental processes become general social laws, in accordance with which masses or groups of men have the same feelings, thoughts, and judgments. They all express their laws in terms of conscious harmony between the subjective and the objective, between mind and its environment. The difference between them might be broadly stated thus: æsthetics seeks the laws of harmonious sensation. In pure æsthetics there is no outward action. The time is always the present. Given a certain mind and a certain environment, what harmonies does that mind perceive or feel between itself and its environment? This is the inquiry of æsthetics. Economics, however, studies this mind as seeking to adapt its environment to itself so as to produce the greatest harmony. The imperfect harmonies are felt by the economic man as wants and he undertakes to adapt the world to his nature, to change his environment so that it will completely satisfy these wants. His ideal of complete harmony he attempts to reach in this way. He looks into the future. His will is active. He dominates his environment.

Ethics might be called the science of ultimate or universal harmony. It studies this mind as conscious of lack of harmony in its own constitution and as seeking so to change its own tastes and wants and capacities that it shall reach harmony with the laws of its environment. Ethical rules thus appear as obligations, something which the free man should choose. It imposes the obligation of self-culture

and racial progress. It subjects the individual self to the will of the larger, the universal self.

These three sciences remain, however, in a very intimate sense, parts of the same line of inquiry. Æsthetics has both economic and ethical branches. The sentient mind seeks ways and means of so presenting its environment as to produce the greatest pleasure from present conditions. So far it is economic. The æsthetic man recognizes also the obligation of self-culture, of so adapting his nature to the universal laws of harmony that a higher level and greater fullness of happiness may result. This is ethical.

Ethics likewise is in part æsthetic and in part economic. Whatever ethical theory be held, the ultimate ethical law comes back to a perceived or felt harmony between the individual and his environment. This is the sole ultimate test of ethical law and it is æsthetic in character. The ethical man, likewise, in so far as he strives to adapt society to harmony with his own nature is doing an economic work. Economics, also, is partly æsthetic and partly ethical. The laws of human enjoyment upon their æsthetic side as well as upon their economic side received attention in the early discussions of luxury by economic writers, and no economists have been able to banish ethics entirely from their treatment of capital. The higher ethical character of the conduct which looks to remote results is a part of all economic teaching. It is chiefly in consumption that the æsthetic and ethical affiliations of economics appear most prominently. The relative degrees of satisfaction derived from different modes of consumption are distinctly a study in æsthetics. An æsthetic judgment is adopted into economics. The problem of harmonious consumption is plainly æsthetic. Likewise the economic man who consciously controls his wants, represses some, and develops others, with a view to increasing his ultimate happiness or benefiting his family or his country, is doing an act clearly ethical. He is adapting himself to his environment to

make larger the ultimate harmonies of life. These sciences are too similar in subject matter, in method, and in aim to be kept apart. They are, in reality, one science, and should be recognized as such. Economics is the fittest of the three to absorb the others. It has shown the greatest capability of being generalized. It has developed farthest the laws which underlie the facts studied by them all. They are all sciences of *values*, estimates of the relative importance to us of various things which environ us. They are all sciences which deal with the means of realizing the highest satisfaction by harmony between ourselves and our environment.

Æsthetics does not treat conduct in sufficient prominence to make it capable of covering the general field. It is rather the border land between psychology and economics, between knowing and doing.

On the other hand the ethical standpoint is too narrow. Ethics applies the laws of utility only as relative to ultimate ideals and does not deal with wants as absolute. The means of living, physical and non-physical, most important and largest part of the thought of many people, are only indirectly within the ethical point of view. Self-initiated changes in wants are ethical. They seek to adapt the man himself so as to realize the potentialities of higher happiness in more complete harmony with the universal environment. Ethics is, in reality, the final volume in the general system of economics.

Æsthetics and ethics occupy two extreme positions between which lies economics. Economics has already shown its ability to absorb a part of both sciences and it puts the emphasis of thought where men in actual life put it.

Economics has first been studied mainly in regard to material goods. In these investigations certain laws of valuation have been discovered which give scientific form to our knowledge of human motive. It has become very clear however, that value is a wider term than material

goods, that economic motives act both in the field of material and of immaterial values. It seems inevitable that economics must ultimately include both fields. All attempts to confine "wealth" to purely material things have really failed. All pleasures, all values, all choices, all teleological activities are, in fact, chosen and followed upon principles which economics alone has explained in a scientific manner.

This is the necessary logical outcome of the premises assumed by writers in economics since it became a distinct science. Should this logical tendency reach its legitimate end, the sciences would be classified according to the scheme presented in the following table:

A. PHYSICAL SCIENCES. Studying phenomena from the standpoint of matter (unconscious) and in motion (fortuitous or non-teleological).	Physics Chemistry Biology	General sciences or master sciences, the principles of which apply to many special sciences. A group of chemical sciences, for example. Certain special sciences may be composite and belong, in part, to two or more master sciences.
B. PSYCHICAL SCIENCES. Studying phenomena from the standpoint of mind (conscious) and its activities (teleological).	Psychology, Master science of mind as knowing. Economics, Master science of mind as utilizing. Science of utility. Science of practical life. Includes : Æsthetics, <i>i. e.</i> , the science of motive sensations, Economics, in the narrow sense of the science of adjustment of environment to subject, and Ethics, the science of adjustment of subject to environment.	

It is claimed for this classification that it presents a simple scheme which is yet comprehensive enough to give a place to all the sciences which deal with psychical phenomena. No attempt has been made to carry out this classification into all its details. This would be out of place in a paper which aims to give only the outline of the subject. The relation of the new science of sociology to economics is a subject, however, of great practical importance, at present, and I wish to devote a few final pages to that topic.

V.—SOCIOLOGY, ONE OF THE SPECIAL ECONOMIC SCIENCES.

The new science called sociology is begotten of the modern evolutionary idea. The leading tendencies shown in this sociology have been (1) the assumption of a physical standpoint, with the use of physical analogies and formulæ in explaining man's activities. and (2) the assumption of "groups"—of a vaguely conceived "society"—as the primary fact to which the individual appears as secondary. Human action is made to start in the social group, go forward through the individual, and work out its effect upon the group. And this activity is conceived as governed by the law of physical evolution and as working onward to unplanned results.

The tendencies of economics are in direct contrast. The economic individual initiates action, he uses society or the social group as his means and he achieves an end for himself—an end fore-ordained by himself. The evolution is, thus teleological, and social institutions and groups persist or change according as they have "utility"—fitness, that is, not in the physical sense, but fitness as seen by the individual subject. Individuals, thus, are the primary fact and society exists by them and for them, while to the sociologist the primary fact is society which makes the individual and whose ends the individual serves.

This contrast between the two points of view may be well illustrated by a brief sketch of the historical origin of the two sciences. In the modern revival of industry, which was connected with the revival of learning, came a flood of particular writings upon special features of industrial life, especially as connected with the state. The mercantile writings are a collection of such literature. For a long time the word "economy" had been in use in its strict literal sense as the regulation of estates or households. It came finally to be recognized in those new writings as applying to affairs of state, "political economy" being conceived of as a body of rules governing the conduct of state affairs. The general inquiry in all these writings was how best to exploit resources in the interest of the nation. It was part of a national struggle for existence. The national resources were the soil and other natural riches, population and commerce as a means of exploiting the lands and peoples of other nations. It finally became clear, however, that the prosperity of the state rested, not so much on exploitation either of the home population or of foreign nations, as upon the prosperity of the people themselves. "*Pauvre paysans, pauvre royaume ; pauvre royaume, pauvre roi.*"

This new economic doctrine developed side by side with the similar doctrine that the political power and prosperity of a nation rested on the political freedom and importance of the people as against absolutism and aristocracy. In other words, it became clear that political economy or state housekeeping and private economy or private housekeeping were indissolubly bound together in fact and hence formed parts of one general science.

This appears undeniably in Adam Smith's book. The title indicates that it is primarily a book on public economy, but the larger part of the work is devoted to a discussion of the general laws of industry or the economy of the people, while in the fifth book only he treats specifically of the

public or state economy. In the "Wealth of Nations" we have already reached a recognition of a general science of economics which systematizes the laws underlying the economic activities both of individuals and of the state.

Furthermore, this general science is conceived by Smith as studying the operation of the motives of individuals in leading to the activities of individuals and of societies. Society and all social activities are treated as resting on ultimate bases of individual thought, choice, and deed. Smith and his followers studied mankind as made up of individual units. Social groupings were secondary, not primary.

Political economy at first applied to political groups of men. The study of industry, however, led men to see that another sort of group was possible—a "society" the members of which were held together by natural needs of economic organization and which did not necessarily coincide with the political organization. This industrial society, no less than the political, was regarded as finding its unity only in the abstraction of the common things of the individuals composing it. Its activities could be explained only by tracing them back to their origin in the wants and actions of individuals. The whole philosophy, political and economic, is summed up in the words *commonweal* and *commonwealth*.

In Adam Smith, likewise, the deeper thought is that the economic quality of things is the creation of man's want and labor. Nature gives, indeed, but only to him who wants and works. Man's wants, man's labor to satisfy these wants, man's happiness as the end to be attained, these are the things studied in the "Wealth of Nations," this is the standpoint from which even the laws of the physical world are investigated. Natural law furnishes deep, underlying forces and limits, conformity to which is necessary to attain the highest good, but the origin and measure of economic things, of the utility which is the

subject matter of economics, are found, not in nature, but in human labor, in the choices which make men work. To Smith economics is not a physical science. It is a science of man, of psychical life. This, I say, is the deeper thought of the "Wealth of Nations." These views, the individualistic view of society and the psychical nature of economic life, still dominate the science of economics.

There is an opposing view of society which has had a long history—the view which regards society as a real unit and as explicable upon the principles of physical evolution. In its latest development this theory regards society and not the individual as the unit which initiates action. However early this idea appeared, it became clearly grasped and vigorously urged as the foundation of the science of human affairs only after the doctrine of evolution came to be applied to historical growth. The studies of the early part of this century in history, jurisprudence, ethics, and historical economics—of race development, in a word, became crystallized in a conception of mankind as made up of social groups, each self-acting as a true unit. A science of society, or sociology, was outlined under which would fall, as subdivisions, politics, ethics, history, æsthetics, language, religion, philosophy, in short, every science which deals with psychical phenomena.

This conception of society and of the relations of the sciences is widely current to-day, owing especially to the influence of Comte and Spencer, and, in a lesser degree, to the writings of the "German school" of economics. The most powerful cause for the prevalence of these views is undoubtedly the influence of modern physical science. So soon as the individual man comes to be looked on as an automaton moved solely by the forces of matter, the significance of these activities which seem to be initiated by the free will of men is lost. The bonds which unite men in society are regarded in the light of physical forces. Biology sufficiently explains the individual. A new physical

science is needed which shall deal with men in groups. By an easy application of a biological analogy, the group is regarded as a biological individual, a true organism in the biological sense. Thus the sciences which deal with man's psychical life are forced into line with the physical sciences and the integrity of the individual is lost, and an abstract entity called "society" is furnished by a positivist science, with invisible and intangible organs of individuality and with all the functions and capacities of a metaphysical soul.

This tendency of sociology to explain society by extending the operation of the cosmic laws of matter beyond biology into the psychical phenomena of society and thus to work out a physical science of society is really unintelligible. It does violence to our primary judgments. The individual mind feels that its integrity and its existence even are destroyed if this be true. The universal testimony of consciousness is—I feel, I think, I choose, I act, I direct external forces, I create. If these universal dicta be errors, we have no warrant for the truth of the axioms of mathematics, or even of the primary sensations. Only by assuming the validity of the assertions of men that they see such and such things do we get any basis for science. Only by acting upon the validity of such assertions do we make such arrangements that we can continue to get the things necessary for our life. Thus the practical necessities of life impose upon us the necessity of recognizing the truth of these universal primary judgments of consciousness. Also the necessities of our psychical nature require the same assumptions. That is, if we are to have scientific explanations of the world, we must assume as true these primary judgments upon which science is built up. Equally must the validity of the processes of reasoning be recognized upon the same grounds.

A general science of man in society must assume as its basis various universal judgments of this character. Such

judgments are these: I am conscious of myself, therefore I exist; I perceive other things, therefore other things exist; I want, therefore I have relation to other things; I perceive force outside of myself—the physical world; I perceive power in my mind to direct this force; I perceive other individuals like myself—society; I perceive limits to my power—that other persons can control me, that the physical world can compel me; I perceive that I can organize this physical world and this society, and through this organization gain the satisfaction of my want.

Sociology, in not taking this view of social causation thereby violates the most fundamental of axiomatic truths.

Sociology is further defective in that it personifies the group. The logical outcome of the sociological point of view is the negation of the individual. This need be only referred to, in this place since it has been adequately discussed above. If it be denied, however, that sociology does thus destroy the individual and if sociology aims in fact to explain the individual, then its name is a misnomer. At the best, the term "sociology" expresses but one side of man's conscious activity, and largely obscures the work of the individual. It would be equally consistent to call the science "individualology," since upon any theory all social activity is made up of the organic activities of individuals. If the science is to explain man in society, the name "sociology" does not express its true content.

Another more important indictment of sociology is the following:

Sociology cannot make good its claim to be the master science of man's activities, for it studies man simply with reference to his association with other men. It cannot include the sciences which assume the standpoint of the individual and explain man's actions always in terms of the individual. Such sciences as ethics, economics, and politics, which regard human affairs as resting upon the initiation of the individual will, cannot be classified as

sociological sciences. They do not have their ultimate foundation in the facts of association. But the essential fact in sociology is association. The group is primary in sociology, while in these sciences the individual is primary.

This inadequacy of sociology appears clearly in considering, whether, upon its established principles, it can include economics. If there were only one man in the world there would be no place for a science of sociology. If there were only one man in the world all the fundamental things of economics would still remain. Goods, utility, value, labor, capital, wealth, wants, consumption, production, dynamics. These are facts in the economic life of every man, not only as a member of society, but as a solitary individual. Money would not be needed, but a measure of value would, else the labor of production would not be economically adjusted to different processes. For the same reason the fundamental processes of distribution would still go on—according to the changing returns of labor and capital in various enterprises, shifting of labor or capital would continually be necessary in order to equalize marginal returns. The solitary man, if wise, would continually increase capital to reward his labor more richly.

The fundamental object of inquiry in economics is not the methods or processes of industrial association between man and man as the sociologist would have us believe. It is rather the problem which arises always where mind confronts matter—the problem of the utilization by the conscious subject of the external object—the problem of the wanter working to satisfy his wants. If this economic man be solitary in the world, he utilizes the world. If he be a member of a group of other men, he utilizes both the world and these other men, and out of the interplay of these various activities of the different members of the group grow the laws of economic society. Individual or society, the bases of economic life are the same, and we must look for

them in the psychical nature of the individual mind, consciously utilizing its environment—here is a bond of unity for a master science of practical life as simple and obvious as the protoplasm of general biology. To economics not to sociology must we look for the general science of man in society.

Current sociology is, I believe, beginning to recognize its limitations and is more and more coming to accept the view that it is the science of social organization. As such its endeavor is to explain the relation of the individual to society, to trace out the workings of the psychic acts of individuals as they build up groupal structures, establish social institutions, and lead forward social change. As such it also studies the re-actions of social groups, social institutions, and social change upon the individual.

If this be true, sociology falls into place as the master science of a large group of special economic sciences, those dealing with the methods of human association. It would be nearly co-incident with politics taken in the most widely generic sense of that word. This point needs fuller development than can be here given to it. Its validity, however, appears in the consideration that, as previously shown, social organization is a process of economic selection. The groups which constitute the concrete forms of organization are held together by the economic choices of individuals. Changes in the groupal forms come about likewise through changes in individual choice. That utility which economics has analyzed and explained is the causal principle running through all social processes. And these social processes only become definite and real to us when we conceive of them as made up of individual teleological acts. The term "society" is a convenient methodological symbol which we employ for certain purposes of reasoning and which must again be translated into terms of the individual before the matter is intelligible.

We are thus enabled to come back to the theses with which we began.

To make society intelligible we must accept the principle of economic selection, or utility, as the universal law of social causation, and, in our science of society, we must abandon the unscientific attempt of the earlier sociology to wrest the laws of physical causation into an impossible explanation of the teleological phenomena of men in society.

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CURRENT TRANSPORTATION TOPICS :

RECENT DECISIONS OF THE SUPREME COURT AND THEIR SIGNIFICANCE.

Since the beginning of 1897 transportation questions have occupied a prominent place in the decisions of the United States Supreme Court and in the legislation of the states. The present discussion is confined to the recent decisions of the Supreme Court affecting the power of the states to tax transportation agents, the extent to which competing railway companies can co-operate, and the power of the interstate commerce commission to regulate rates.

The Power of the States to Tax Transportation Companies.

In February and March of this year the United States Supreme Court decided ten cases involving the power of the states to tax transportation companies doing an interstate business. By these decisions the principle is established that the intangible property of such a company "is liable to state taxation, and such taxation is not upon the privilege of doing its business, nor an interference with interstate commerce." These cases concerned the constitutionality of recent laws passed by Kentucky, Indiana and Ohio. The Kentucky law was enacted November 11, 1892; the Indiana act was approved March 6, 1893, and the Ohio law originally passed April, 1893, was re-enacted with slight amendments, May 10, 1894. The Kentucky and Indiana laws apply not only to transportation agencies, but also to corporations generally. The Ohio laws in question apply only to express, telegraph and telephone companies. An Ohio law of May 14, 1894, levied an excise tax on express companies, and two later laws of Ohio, enacted March 19 and 30, 1896, have imposed excise taxes upon street railroad, railroad and messenger or signal companies, freight line and equipment companies, and also upon electric light, gas, natural gas, pipe line and water-works companies. We are concerned here only with the relation of these laws to transportation companies.

These laws are essentially alike as regards the principle adopted for the valuation and assessment of property. A state board, consisting in Kentucky and Ohio of the auditor, treasurer and attorney-general, and in Indiana of the state board of tax commissioners, acting upon the basis of information which the state auditor is empowered to collect, determines the value of the property owned within the state by the companies to be assessed.

"Said board," to quote from the Ohio statute, "shall be guided by the value of said property as determined by the value of the entire capital stock of said companies, and such other evidence and rules as will enable said board to arrive at the true value in money of the entire property of said companies within the State of Ohio, in the proportion which the same bears to the entire property of said companies, as determined by the value of the capital stock thereof, and the other evidence and rules as aforesaid." In other words, it is the duty of the board to ascertain the value of the entire property of a telegraph, express, or telephone company, real estate and capital stock—and if the company be one doing an interstate business to subtract from that total the value, (1) of the real estate situate outside of the state, and (2) the value of the real estate within the state as assessed for taxation, and then (3) to credit to the state such part of the value remaining after making these two deductions as the mileage of the company within the state bears to the company's total mileage. In the laws of Kentucky and Indiana careful rules are formulated for the guidance of the board in making these valuations, while the Ohio statute is less specific in wording, but means practically the same. The purpose in every case being to include in the valuation and assessment the "intangible" as well as the tangible or real property of the companies.

The assessed valuation thus determined by the state board is distributed by the auditor among the counties and by the counties among the townships in proportion to the mileage of the lines included in the counties and townships respectively. The taxes are levied and collected by the townships at the same rate and in the same manner as other taxes.*

The Western Union Telegraph and the Adams Express companies contended that the laws were unconstitutional because the state had no right to tax "intangible" property, and because the tax was an interference with interstate commerce; but the Supreme Court held that:

"Estimating the property of an interstate express company as an entirety, and after deducting the value of all tangible property, assessing its intangible property within the state on the basis of the mileage of its lines within and without the state, are not in violation

* This brief generalized statement of the laws is necessarily an inadequate summary of their contents. The Kentucky law, which may be found in the Kentucky Statutes, p. 1291 *et seq.* of the compilation of 1894, makes the corporations of that state liable to both state and local taxes. The Indiana law provides only for local taxation. The Ohio law of 1893 and May 10, 1894, referring to express, telegraph and telephone companies, provides only for local taxation. The Ohio excise taxes are state and not local.

of the commerce clause or Fourteenth Amendment of the Federal Constitution."*

The Supreme Court was divided five to four on these cases and was doubtless largely influenced by the practical bearings of the subject. The Indiana and Ohio cases were decided February 1, but on account of "the importance of the questions involved and the close division" of the court upon them, a rehearing was granted. In the decision of the court upon this rehearing the court brought further argument to sustain its former decree and concluded with the following pertinent paragraph:

"In conclusion, let us say that this is eminently a practical age; that courts must recognize things as they are and as possessing a value which is accorded to them in the markets of the world, and that no fine-spun theories about *situs* should interfere to enable these large corporations, whose business is of necessity carried on through many states, from bearing in each state such burden of taxation as a fair distribution of the actual value of their property among those states requires."†

Traffic Associations and the Trans-Missouri Freight Association Case.

The decision rendered by the United States Supreme Court, March 22, in the suit of the United States *v. The Trans-Missouri Freight Association et al.*, decrees that "The right of a railroad company to charge reasonable rates does not include the right to enter into a combination with competing roads to maintain reasonable rates." This makes illegal all traffic associations formed by railway companies for the purpose of regulating rates charged on competitive traffic, it lessens greatly the ability of the railways to co-operate, and has necessitated the reorganization of such associations upon a new basis.

The Trans-Missouri Freight Association was established on March 15, 1889, by fifteen railroads operating west of the Missouri River, the States of Missouri and Arkansas and the city of Galveston, and was a typical railway traffic association. The agreement, which became effective April 1, 1889, contained the provisions regarding rates that are usual in such contracts.‡ The

* *Levi C. Weir, President of the Adams Express Company v. L. C. Norman, Auditor of Public Accounts for the Commonwealth of Kentucky.* Decided March 15, 1897.

† *Adams Express Company v. Ohio State Auditor.* Decided March 15, 1897.

‡ This agreement was in effect from April 1, 1889, to November 18, 1892, when the Trans-Missouri Freight Association was dissolved. The agreement which took its place, January 1, 1893, did not re-establish the former traffic association. The

association was to appoint a committee "to establish rates, rules and regulations on the traffic subject to this association, and to consider changes therein, and make rules for meeting the competition of outside lines." The members of the association agreed to give notice to the association, five days previous to a regular meeting, of any proposed change in rates, and contracted to abide by the action of that body. Any member might, however, act contrary to the decision of the association by giving a written notice to that body when convened in a regular session, that such independent action was to be taken ten days thereafter. If a member decided to act contrary to the vote of the organization, the association could, if it chose, reduce rates or change its rules for the purpose of compelling the member to cease its independent action. A member of the association might, also, in order to meet the competition of roads not members, make changes in the association's rates and rules without previous notice; but a member doing this was subject to a fine if its action was not subsequently approved by the association.

The United States instituted in the Circuit Court, District of Kansas, a suit in equity for the purpose of having the agreement set aside and declared illegal and void, on the ground of its being in violation of the anti-trust law of July 2, 1890. Section 1 of this law, as is well known, declares illegal "every contract, combination in the form of trust or otherwise, or conspiracy in restraint of trade or commerce among the several states, or with foreign nations." The decision of the Circuit Court, by District Judge Riner, delivered November 28, 1892, upheld the legality of the association's agreement, Judge Riner maintaining that:

"An agreement between several competing railway companies and the formation of an association thereunder for the purpose of maintaining just and reasonable rates, preventing unjust discriminations by furnishing adequate and equal facilities for the interchange of traffic between the several lines, without preventing or illegally limiting competition, is not an agreement, combination or conspiracy in restraint of trade in violation of the act of July 2, 1890. . . .

"It was not the intention of Congress to include common carriers subject to the act of February 4, 1887, within the provisions of the

new agreement provided for the appointment of the West-Missouri Freight Rate Committee with authority "to establish and maintain reasonable rates." Although it was expected that a permanent traffic association would, on the first of the following April, supersede the temporary agreement of January 1, 1893, such an organization was not effected and the Freight Rate Committee has continued to the present time. Its present name is the Trans-Missouri Freight Rate Committee. Like other traffic organizations its powers over rates have been less since last March than they were previously.

act of July 2, 1890, which is a special statute, relating to combinations in the form of trusts and conspiracies in restraint of trade."*

The case was carried to the United States Circuit Court of Appeals, eighth circuit, where it was argued before Circuit Judge Sanborn and District Judges Shiras and Thayer, May 31 and June 1, 1893. The decision of the court delivered October 2, 1893, by Judge Sanborn, Judge Shiras dissenting, sustained the decree of the lower court. The decision was enforced by a lengthy argument to prove that,

"The contracts, combinations in the form of trust or otherwise, and conspiracies in restraint of trade declared to be illegal in interstate and international commerce by the act of July 2, 1890, entitled an act to protect trade and commerce against unlawful restraints and monopolies, are the contracts, combinations and conspiracies in restraint of trade that had been declared by the courts to be against public policy and void under the common law before the passage of that act.

"The test of the validity of such contracts or combinations is not the *existence* of restriction upon competition imposed thereby, but the *reasonableness* of that restriction under the facts and circumstances of each particular case."†

* From the syllabus of the decision. 53 Federal Reporter p. 440.

† From the syllabus of the decision. The syllabus was prepared by Judge Sanborn himself. The following paragraph of the syllabus contains such an admirable summary of the powers of the Trans-Missouri Freight Association and of the court's views of the economic functions of such organizations that it ought to be quoted here :

"A contract between railroad companies forming a freight association that they will establish and maintain such rates, rules and regulations on freight traffic between competitive points as a committee of their choosing shall recommend as reasonable; that these rates, rules and regulations shall be public; that there shall be monthly meetings of the association composed of one representative from each railroad company; that each company shall give five days' notice before some monthly meeting of every reduction of rates or deviation from the rules it proposes to make; that it will advise with the representatives of the other members at the meeting relative to the proposed modification, will submit the question of its proposed action to a vote at that meeting, and if the proposition is voted down that it will give ten days' notice that it will make the modification notwithstanding the vote before it puts the proposed change into effect, that no member shall falsely bill any freight or bill any at a wrong classification, and that any member may withdraw from the association on a notice of thirty days,—appears to be a contract tending to make competition fair and open, and to induce steadiness in rates and is in accord with the policy of the 'Interstate Commerce Act.' Such agreement cannot be adjudged to be a contract or conspiracy in restraint of trade under the 'Anti-Trust Act,' when it is admitted that the rates maintained under the same have been reasonable, and that the tendency has been rather to diminish than to enhance rates, and there is no other evidence of its consequence or effect."

The case was argued before the United States Supreme Court, December 8 and 9, 1896. That court's decision delivered by Justice Peckham, March 22, 1897, four of the nine judges dissenting, reversed the decrees of the lower courts, and held that,

"The act of July 2, 1890, covers, and was intended to cover, common carriers by railroad.

"The words 'unlawful restraints and monopolies,' in the title of the act of Congress of July 2, 1890, do not show that the purpose of the act was to include only contracts which were unlawful at common law, but refer to and include those restraints and monopolies which are made unlawful in the body of the act.

"The term 'contract in restraint of trade' as used in the act of Congress of July 2, 1890, does not refer only to contracts which were invalid at common law, but includes every contract in restraint of trade, and is not limited to that kind of a contract which is in unreasonable restraint of trade.

"The policy of the government is to be found in its statutes, and when they have not directly spoken, then in the decisions of the courts and the constant practice of the government officials; but when the law-making power speaks on a particular subject over which it has constitutional power to legislate, public policy in such a case is what the statute enacts."*

This decision of the Supreme Court having made the agreements of all the existing traffic associations illegal, the railway companies generally, with the exception of the eastern trunk lines, withdrew from the associations of which they were members and proceeded to reconstruct their traffic organizations in such a manner as to bring them within the requirements of the court's decision. The general form of the previous organizations was retained, the chief change consisting in carefully reserving the rate-making function to the individual companies, members of the association. For instance, the articles of agreement of the Western Joint Traffic Bureau, the reorganized Western Freight Association, now provide that the board of commissioners "shall supervise and at its option recommend changes in rates, rules and regulations governing the traffic subject to this agreement," but the agreement also carefully stipulates that,

"Nothing herein shall be construed as interfering with the right of individual members to change rates at will, and the board of commissioners shall so exercise the power conferred upon it as to

* From the syllabus of the decision.

discourage, and, so far as possible, prevent violation of the interstate commerce act, or any other federal or state law, or the provisions of the charter of any member, and it shall, with these ends in view, co-operate with federal and state commissions."

Similar provisions are included in the revised agreements of the other freight and passenger traffic associations.

The Joint Traffic Association, composed of the thirty-two "trunk line" companies, the strongest and most efficient traffic organization in existence, did not deem it necessary to reorganize because, when the decision of the Supreme Court in the Trans-Missouri Freight Association case was announced, a suit against this association of the trunk lines was pending in the United States courts. This suit, which is still pending, was instituted by the United States Attorney-General at the instance of Interstate Commerce Commission. The United States asked the court to issue an injunction annulling the agreement of the association on the ground that the contract violated both the anti-trust law of 1890 and anti-pooling section of the interstate commerce act, but the association won the suit both in the United States Circuit Court last year,* and before the Circuit Court of Appeals of New York this year, the latter court's decision being rendered simultaneously with the announcement of the Supreme Court's decision in the Trans-Missouri Freight Association case. Judge Wallace, in the Circuit Court of Appeals, Judge Lacombe concurring, held that the interstate commerce act could not be invoked in the case. "If there has been," he said, "any violation of the pooling section of that act, because of the existence of contracts, the United States has no right under that act by injunction. . . . The United States has no remedy by injunction to annul a contract." Judge Wallace did not think that the anti-trust law was intended to apply to railway carriers.

The suit against the Joint Traffic Association will be heard by the Supreme Court early in the October term, and the probabilities are that it will decide that this organization is as much of "a combination in restraint of trade" as was the Trans-Missouri Freight Association. The chances for the success of the Joint Traffic Association in its suit have been lessened by some of the testimony secured by the Interstate Commerce Commission in an investigation which it conducted in Chicago the second week of last June. The commission secured evidence of the existence of "physical" or traffic pools apportioning, according to fixed percentages, a part of the freight carried by several members of the Joint Traffic Association. This apportionment was made by the arbitrators of the association, but

**Cf. ANNALS*, Vol. ix, p. 110, January, 1897.

whether they were acting for the Joint Traffic Association or for certain roads, members of the association, the available information does not make clear.

It is doubtful, however, whether the Joint Traffic Association will be able to maintain its present organization without change of form, at least for any great length of time, even should the Supreme Court not find the association's agreement illegal. It has been more difficult this year than it was last for the organization to secure the observance of authorized rates, and several instances of secret and open cutting have occurred. The insolvency of the Baltimore & Ohio and the influence of the Trans-Missouri decision have placed a severe strain on the Joint Traffic Association. It is probable that no traffic association can be made as effective as business interests demand until both the interstate commerce act and the anti-trust law are so amended as to permit greater co-operation among the railroads.

The Supreme Court's decision of March 22 has revived the agitation for the legalization of pooling contracts. In response to this agitation the Senate Committee on Interstate Commerce, after considering various measures and receiving instructions from the Senate, has drawn up and submitted a bill legalizing pooling contracts and making other amendments to the act of February 4, 1887. This bill, it is expected, will be considered at length during the next session of Congress.

The Interstate Commerce Commission, though its members are not all of the same opinion regarding details of action, is opposed to the legalization of pooling, unless the commission's powers are at the same time largely increased. The chairman of the commission and one other member are opposed to the policy of pooling, two other members "would not oppose the passage of a pooling bill, provided the other amendments which are necessary to make the interstate commerce laws effective were made a part of the bill,"* while the other commissioner has frequently advocated pooling and would doubtless favor an early action of Congress legalizing such contracts.†

The Rate-Regulating Powers of the Interstate Commerce Commission.

The United States Supreme Court has decided that the Interstate Commerce Commission does not possess the power to prescribe railway rates. The commission had previously been denied this power

**Cf.* A letter written May 19, 1897, by the Interstate Commerce Commission to Senator Cullom, Chairman of the Committee on Interstate Commerce.

† *Cf.* A paper by Hon. Martin A. Knapp on "Some Observations on Railroad Pooling," in the *ANNALS*, Vol. viii, p. 127, July, 1896.

by several inferior United States courts, and two decisions of the Supreme Court had contained expressions which left little uncertainty regarding the court's views on this subject.* The case of the Interstate Commerce Commission *v. The Cincinnati, New Orleans & Texas Pacific Railway Company et al.*, decided by the Supreme Court, May 24, involved this question in a simple form and the meaning of the court's decision is unmistakable.

The case grew out of a complaint made to the Interstate Commerce Commission by the freight bureaus of Chicago and Cincinnati that the rates from those cities to southern ports were so high as compared with the rates from the North Atlantic seaboard territory to the South, as to constitute a discrimination against Chicago, Cincinnati and other cities in the "central territory." The complaint was sustained by the commission, and the railways complained against were ordered to reduce their rates on certain classes of freight to Chattanooga and other southern cities so as to correspond with the rates from the eastern cities. The railways refused to comply and the commission brought the above suit to secure the enforcement of its order. The Circuit Court denied the right of the commission to prescribe rates, and the Supreme Court, Justice Harlan dissenting, confirmed the decree of the inferior court. Justice Brewer, who prepared the decision of the court, tersely summarizes the main points of his comprehensive argument in the following paragraph:

"We have, therefore, these considerations presented: First, The power to prescribe a tariff of rates for carriage by a common carrier is a legislative and not an administrative or judicial function, and having respect to the large amount of property invested in railroads, the various companies engaged therein, the thousands of miles of road, and the millions of tons of freight carried, the varying and diverse conditions attaching to such carriage is a power of supreme delicacy and importance. Second, That Congress has transferred such a power to any administrative body is not to be presumed or implied from any doubtful and uncertain language. The words and phrases efficacious to make such a delegation of power are well understood and have been frequently used, and if Congress had intended to grant such a power to the Interstate Commerce Commission it cannot be doubted that it would have used language open to no misconstruction, but clear and direct. Third, Incorporating into a statute the common law obligation resting upon the carrier to make all its charges reasonable and just, and directing the commission to execute and enforce the provisions of the act, does not by implication

* Cf. ANNALS, Vol. ix, p. 107, January, 1897, where reference is made to the decisions of the Supreme Court in the "Social Circle" and "Import Rate" cases.

carry to the commission or invest it with the power to exercise the legislative function of prescribing rates which shall control in the future. Fourth, Beyond the inference which irresistibly follows from the omission to grant in express terms to the commission this power of fixing rates, is the clear language of Section 6, recognizing the right of the carrier to establish rates, to increase or reduce them, and prescribing the conditions upon which such increase or reduction may be made, and requiring, as the only conditions of its action, first, publication, and, second, the filing of the tariff with the commission. The grant to the commission of the power to prescribe the form of the schedules, and to direct the place and manner of publication of joint rates, thus specifying the scope and limit of its functions in this respect, strengthens the conclusion that the power to prescribe rates or fix any tariff for the future is not among the powers granted to the commission."

This and other recent decisions of the Supreme Court have determined quite definitely the character of the powers which the Interstate Commerce Commission may exercise under present laws. The commission has more than advisory powers, but is without mandatory authority sufficient to enable it to regulate railway transportation charges except in an indirect way. If a shipper has been charged an unreasonable rate the commission can help him to collect damages, but it cannot prevent the railway company from charging the same shipper or others unreasonable rates in the future. The commission that is half advisory and half mandatory can hardly be very successful. Congress will have to make it either one or the other. The commission has long been urging Congress to grant it greater powers, and has recently declared that:

"The authority of the commission . . . to determine and order reasonable rates in cases tried, wherein the rates are challenged, should be granted and stated in unquestionable terms, and proper means provided for enforcing such determination, and we believe a provision of law making such determination and order of the commission obligatory on the carriers at once and until reversed or set aside by a court of competent jurisdiction will afford guarantee for the observance and enforcement of such orders.*

The decision of the commission is doubtless the correct one. The type of commission without power has been very successful in Massachusetts and less so in some other states; but the circumstances which account for the success of those state commissions do not obtain in the case of national regulation of railways. The Massachusetts commission is able readily to create a public opinion

* From the Commission's letter of May 19, above referred to.

regarding a particular question, and the legislature has shown itself an efficient means of making this aroused public opinion effective. But the mileage of the railroads engaged in interstate commerce is too great, the United States is too large, the economic interests of the people of different sections of the country are too diverse and the difficulties of securing congressional action are too many for us ever to secure an efficient regulation of interstate railway transportation by means of a commission without ample mandatory powers.

EMORY R. JOHNSON.

PERSONAL NOTES.

AMERICA.

Atlanta University.—Dr. William E. Burghardt DuBois has been appointed Professor of Social Science and History at Atlanta University. Dr. DuBois was born on February 23, 1868, at Great Barrington, Mass., and obtained his early education in the public schools of his native town. He entered Fisk University in 1885 and graduated with the degree of A. B. in 1888. He then entered Harvard University, receiving the degree of A. B., *cum Laude*, in 1890. He pursued post-graduate studies at Harvard* for two years, receiving the degree of A. M. in 1891, and then attended the University of Berlin for three semesters during 1892-94. The succeeding two years he was Professor of Greek and Latin at Wilberforce University, Wilberforce, Ohio, and in 1895 received the degree of Ph. D. from Harvard.† He has been Assistant in Sociology at the University of Pennsylvania during the past year, and has had charge of an investigation into the condition of the negroes of Philadelphia. Dr. DuBois is a member of the American Historical Association and of the American Academy of Political and Social Science. He has written a series of articles on social reforms among the negroes for the *New York Age*. Besides this he is the author of the following books:

"*The Enforcement of the Slave Trade Laws.*" Transactions of American Historical Association, 1892.

"*The Suppression of the African Slave Trade to the United States of America.*" Pp. 335. New York, 1897.

"*The Conservation of Races.*" Pp. 16. Washington, 1897.

University of California.—At a meeting of the Board of Regents, held May 25, Assistant Professor Carl Copping Plehn ‡ was promoted to the position of Associate Professor of Economics. Since last mentioned in this department of the ANNALS Professor Plehn has published:

"*Labor in California.*" Yale Review, February, 1896.

"*Introduction to Public Finance.*" Pp. 370. New York and London, 1896.

"*The General Property Tax in California.*" A paper read at the ninth annual meeting of the American Economic Association, at

* See ANNALS, Vol. i, p. 296, October, 1890.

† *Ibid.*, Vol. vi, p. 301, September, 1895.

‡ *Ibid.*, Vol. iv, p. 457, November, 1893.

Baltimore, December, 1896. American Economic Association Studies, Supplement to Vol. II, No. 1, February, 1897.

"*The Growth of the University.*" Overland Monthly, January, 1897.

"*Classification in Public Finance.*" Political Science Quarterly, March, 1897.

"*The General Property Tax in California.*" Pp. 90. American Economic Association Studies, Vol. II, No. 3, June, 1897.

He has also written numerous short articles and signed reviews.

Columbia University.—Dr. George James Bayles has been appointed Prize Lecturer at Columbia University for the ensuing year. Dr. Bayles was born at Irvington, N. Y., August 28, 1869, and attended private schools in New York City and Orange, N. J. He graduated from Columbia University in 1891 with the degree of A. B. He then engaged in post-graduate study, also taking a course in law. In 1892 he received the degree of A. M. from Columbia; in 1893, that of LL. B., and in 1895, that of Ph. D.* From 1893 to 1896 he was engaged in editorial work on the New York *Evening Post*. In September of the latter year he organized the Church News Association, becoming its president. He will deliver a course of lectures at Columbia on the Civil Aspects of Ecclesiastical Organizations. Dr. Bayles is a member of the New York Academy of Political Science.

Cornell University.—Mr. Charles Henry Rammekamp has been appointed Instructor in American History at Cornell. He was born in New York City February 25, 1874, and obtained his education in the public schools of Summit and South Orange, N. J., and Cornell University. He received the degree of Ph. B. from the latter institution in 1896. The following year he pursued post-graduate studies at Cornell, holding a fellowship in American history.

Harvard University.—Dr. Guy Stephens Callender has been appointed Instructor in Political Economy at Harvard University. Dr. Callender was born November 9, 1865, at Harts Grove, Ashtabula County, Ohio. His early education was obtained at the New Lynn Institute, South New Lynn, Ohio. In 1886 he entered Oberlin College and graduated from that institution in 1891 with the degree of A. B. He engaged in business for one year and then entered Harvard University to pursue post-graduate study. He has remained at Harvard ever since, with the exception of 1895-96, when he filled the position of Instructor in Economics at Wellesley College during the absence of the regular Professor of Economics. In 1893 he received the degree of A. B. from Harvard; in 1894 that of A. M.,

* See ANNALS, Vol. vi, p. 301, September, 1895.

and in 1897 that of Ph. D. Dr. Callender is a member of the American Economic Association. He has written "*English Capital and American Resources in 1815-1860*," which is now on press.

Dr. Edward Channing has been advanced from the position of Assistant Professor to that of Professor of History at Harvard University. Professor Channing was born June 15, 1856, at Dorchester, now a part of Boston. In 1878 he graduated from Harvard College with the degree of A. B., receiving honors in history. The ensuing five years, with the exception of the year 1880-81, he pursued post-graduate study at Harvard and received the degrees of A. M. and Ph. D. During 1880-81 he was abroad. In 1883 he was appointed Instructor in History at Harvard and in 1887 was advanced to the position of Assistant Professor of History. Professor Channing is a member of the following associations: Massachusetts Historical Society, American Antiquarian Society, Military Historical Society of Massachusetts, American Historical Association, and the Virginia Historical Society. He has written the following:

"*Town and County Government in the English Colonies*," Johns Hopkins University Studies in History and Political Science, Vol. II, October, 1884.

"*Roads from India to Central Asia*," Science, May 1, 1885.

"*The Races of Central Asia*," Ibid.

"*Die Rassen von Zentralasien*," Das Ausland, 1885.

"*Outline Map of the United States*" (with A. B. Hart), Boston, 1885.

"*Smaller Outline Map of the United States*" (with A. B. Hart), Boston, 1885.

"*Bulgaria and Bulgarians*," Science, October 9, 1885.

"*The Burman Dispute*," Ibid., November 6, 1885.

"*A New Route to Southwestern China*," Ibid., February 12, 1886.

"*The Companions of Columbus*," in the "*Narrative and Critical History of America*," edited by Justin Winsor, Vol. II. Pp. 185-216. Boston, 1886.

"*The Narragansett Planters*," Johns Hopkins University Studies in History and Political Science, 3d Series, No. 3. Pp. 23. Baltimore, 1886.

"*Aims of Geographical Education*," Science, January 21, 1887.

"*The War in the Southern Department (1778-1782)*," in the "*Narrative and Critical History of America*," edited by Justin Winsor, Vol. III, Cap. vi. Pp. 468-555. Boston, 1888.

"*The Navigation Laws*," Proceedings of the American Antiquarian Society, October, 1889 (also printed separately).

"*American History Leaflets*" (edited, with A. B. Hart). 35 numbers, January, 1892-September, 1897. New York.

"*A few Remarks on the Origin of New England Towns*," Massachusetts Historical Society Proceedings, January, 1892; 2d Series, Vol. VII. Pp. 242-263. (Reprinted with papers by C. F. Adams and Mellen Chamberlain on the same subject; also separately.)

"*Collections of the Massachusetts Historical Society*," 6th Series, Vols. III and V (edited, with C. C. Smith and Robert C. Winthrop); comprising the "*Winthrop Papers*," Parts v and vi.

"*United States; its History*," Chambers' Encyclopædia, Revised Edition, Vol. X.

"*George Washington*," Ibid.

"*The United States of America 1765-1865*," Pp. 360. Cambridge (England) and New York, 1896.

"*Guide to the Study of American History*" (with Albert Bushnell Hart). Pp. 487. Boston, 1896.

"*A Student's History of the United States*" (now on press).

A. Lawrence Lowell, Esq., has been appointed Lecturer on Existing Political Systems at Harvard University. Mr. Lowell was born in Boston on December 13, 1856, and obtained his early education there and in Paris. He entered Harvard University in 1873, graduating with the degree of A. B. in 1877. He then pursued a course in the Law School, receiving the degree of LL. B. in 1880; since then he has been engaged in the practice of law in Boston. Mr. Lowell is a member of the following associations: Massachusetts Historical Society, Massachusetts Military Historical Society, American Academy of Arts and Sciences, Internationale Vereinigung für Vergleichende Rechtswissenschaft, and American Academy of Political and Social Science. He has written the following:

"*Surfaces of the Second Order as Treated by Quaternions*," Proceedings of the American Academy of Arts and Sciences, 1877.

"*The Transfer of Stock*," (With Francis C. Lowell.) 1884.

"*Cabinet Government and the Constitution*," Atlantic Monthly, February, 1886.

"*The Theory of the Social Compact*," Ibid, June, 1887.

"*Irish Agitation in America*," Forum, December, 1887.

"*The Responsibilities of American Lawyers*," Harvard Law Review, December, 1887.

"*The Limits of Sovereignty*," Ibid, May, 1888.

"*Essays on Government*," Pp. 229. 1889.

"*Politics and the Weather*," North American Review, October 1892.

"*The Referendum in Switzerland and America*," Atlantic Monthly, April, 1894.

"*The Referendum and Initiative; Their Relation to the Interests*

of *Labor in Switzerland and in America.*" International Journal of Ethics, October, 1895.

"*Governments and Parties in Continental Europe.*" 2 vols. Pp. 832. Boston, 1896.

University of Nebraska.—Dr. W. G. L. Taylor has been advanced from the position of Associate Professor to that of Professor of Political and Economic Science at the University of Nebraska.* He has recently written the following:

"*The Evolution of the Idea of Value,*" Journal of Political Economy, September, 1895.

"*Hadley's Economics,*" Ibid., September, 1896.

"*What Can be Done for the Laboring Man?*" Pp. 5. Report of Kansas Bureau of Labor, 1896.

"*Values, Positive and Relative,*" ANNALS OF THE AMERICAN ACADEMY, January, 1897.

"*Generalization and Economic Standards.*" Pp. 14. University of Nebraska Studies, Vol. II, No. 2, January, 1897.

Union College.—Mr. George Briggs Lynes has been appointed Instructor in History and Sociology at Union College, Schenectady, N. Y. Mr. Lynes was born September 27, 1872, at Middleburg, Schoharie County, N. Y. He attended the Middleburg Union Free School and in 1890 entered Union College, from which institution he graduated with the degree of A. B. in 1894. He pursued post-graduate studies at Johns Hopkins University for the next two years, and then became literary editor of the *Baltimore News*. In 1897 he received the degree of A. M. from Union College.

Wilson College.—Miss Anne Elizabeth Swain has been appointed Assistant Professor of History at Wilson College, Chambersburg, Pa. She was born December 18, 1874, at Allentown, N. J., and obtained her early education in the public schools of that place. In 1891 she entered Wilson College and graduated in 1895 with the degree of A. B. Miss Swain has written "*The Influence of Trade.*"

IN ACCORDANCE with our custom we give below a list of the students in political and social science and allied subjects on whom the degree of Doctor of Philosophy was conferred at the close of or during the last academic year.†

Brown University.—Edmund C. Burnett, A. B. Thesis: *The History of the Government of Federal Territories in Europe and America.*

* See ANNALS, Vol. vi, p. 295, September, 1895.

† See ANNALS, Vol. i, p. 203, for Academic Year, 1889-90; Vol. ii, p. 253, for 1890-91; Vol. iii, p. 241, for 1891-92; Vol. iv, p. 312 and p. 466, for 1892-93; Vol. v, p. 282 and p. 419, for 1893-94; Vol. vi, p. 300 and p. 482, for 1894-95; Vol. viii, p. 364, for 1895-96.

University of Chicago.—Hannah Belle Clark, A. B. Thesis: *The Public School of Chicago, a Sociological Study.*

James Fosdick Baldwin, A. B. Thesis: *Scutage and Knight Service.*

Henry Rand Hatfield, A. B. Thesis: *Municipal Bonding in the United States.*

Simon James McLean, A. M., LL. B. Thesis: *The Railway Policy of Canada.*

Paul Monroe, B. S. Thesis: *Profit Sharing, a Study in Social Economics.*

George Gerard Tunell, B. S. Thesis: *Transportation on the Great Lakes in North America.*

Charles Truman Wyckoff, A. M. Thesis: *Feudal Relations between the Crowns of England and Scotland under the Early Plantagenets.*

Columbia University.—Charles Ernest Chadsey, A. B., A. M. Thesis: *The Struggle between President Johnson and Congress over Reconstruction.*

Harry Alonzo Cushing, A. B., A. M. Thesis: *The History of the Transition from Provincial to Commonwealth Government in Massachusetts.*

Charles Franklin Emerick, A. B., A. M., Ph. M., M. S. Thesis: *An Analysis of Agricultural Discontent in the United States.*

Henry Crosby Emery, A. B., A. M. Thesis: *Speculation in Stock and Produce Exchanges in the United States.*

Ernst Freund, J. U. D. Thesis: *The Theory of Corporate Existence.*

Milo Roy Maltbie, Ph. B., Ph. M. Thesis: *English Local Government of To-day.*

Frank Henry Sparks Noble, A. B., A. M., LL. B. Thesis: *Taxation in Iowa.*

Francis Raymond Stark, A. B., A. M., LL. B. Thesis: *The Abolition of Privateering and the Declaration of Paris.*

Walter Shepard Ufford, A. B., A. M. Thesis: *Fresh Air Charity in the United States.*

William Clarence Webster, A. B. Thesis: *Recent Centralization Tendencies in State Educational Administration.*

Columbian University.—John Scott Johnson, B. S., A. M. Thesis: *The Influence of French Thought on the Formation of the Constitution of the United States.*

Cornell University.—Fred Stephen Crum, M. L. Thesis: *The Statistical Work of Süssmilch.*

John Burton Phillips, A. B., A. M. Thesis: *Methods of Keeping the Public Money of the United States.*

Harvard University.—Guy Stevens Callender, A. B., A. M. Thesis: *English Capital and American Resources.*

Clyde Augustus Demiway, A. B., A. M. Thesis: *Restrictions upon the Freedom of the Press in Massachusetts.*

Gaillard Thomas Lapsley, A. B., A. M. Thesis: *The County Palatine of Durham in the Middle Ages.*

Charles Whitney Mixter, A. B., A. M. Thesis: *Overproduction and Overaccumulation.*

Oliver Mitchell Wentworth Sprague, A. B., A. M. Thesis: *The English Woolen Industry in the Seventeenth and Eighteenth Centuries.*

George Ole Virtue, A. B., A. M. Thesis: *Two Features of the Anthracite Coal Industry.*

Johns Hopkins University.—James Morton Callahan, A. B. Thesis: *Neutrality of the American Lakes and Anglo-American Relations.*

Samuel E. Forman, A. B. Thesis: *The Career of Philip Freneau as a Politician and Publicist.*

Bartlett Burleigh James, A. B. Thesis: *The Communist of Colonial Maryland.*

Edwin Wexler Kennedy, A. B. Thesis: *Quit-Rents and Currency in North Carolina, 1663-1776.*

Charles Patrick Neill, A. B. Thesis: *Daniel Raymond: An Early Chapter in the History of Economic Theory in the United States.*

Milton Reizenstein, A. B. Thesis: *The Economic History of the Baltimore and Ohio Railroad, 1827-1853.*

Frank Roy Rutter, A. B. Thesis: *History of the South American Trade of Baltimore.*

Enoch Walter Sikes, A. M. Thesis: *The Transition of North Carolina from a Colony to a State.*

George Washington Ward, A. B. Thesis: *Early Development of the Chesapeake and Ohio Canal Project.*

Louis Napoleon Whealton, A. B. Thesis: *The Maryland and Virginia Boundary Controversy, 1668-1894.*

University of Pennsylvania.—James Lynn Barnard, B. S. Thesis: *History of Factory Legislation in Pennsylvania.*

William Fairley, A. M., D. D. Thesis: *The First Epoch of English Monasticism, A. D. 597-750.*

Arthur Charles Howland, A. B. Thesis: *The Interdict: Its Rise and Development to the Pontificate of Alexander III.*

William Albert Korn, A. B., B. D. Thesis: *The Ransom of Richard I. of England.*

Clarence Stanley McIntire, B. S. Thesis: *The Eighteenth Century Constitutions.*

Fred S. Shepherd, A. B. Thesis: *Government and Regulation of Railroads in Massachusetts by a Board of Railroad Commissioners.*
Stanislas John Shoomkoff, A. B. Thesis: *The Future of the Balkan States.*

Walter Edward Weyl, Ph. B. Thesis: *Railway Passenger Travel in Europe.*

Merrick Whitcomb, A. B. Thesis: *Commerce in South Germany about the Year 1500, with Especial Reference to the Effects of Da Gama's Voyage.*

University of Wisconsin.—Henry Balthaser Meyer, B. L. Thesis: *The History of Railway Legislation in Wisconsin.*

Henry Huntington Swain, A. M. Thesis: *Economic Aspects of Railway Receiverships.*

Thomas K. Urdahl, M. L. Thesis: *The Fee System in the United States.*

Yale University.—Walter Irenaeus Lowe, A. B. Thesis: *A History of the Events which Led to the Assumption of the Title of King of France by Edward III. of England.*

Samuel Peterson, A. B. Thesis: *Institutional Slavery in America.*

Frank Strong, A. M. Thesis: *Cromwell's Colonial and Foreign Policy, with Special Reference to the West Indies Expedition of 1654-55.*

George Stedman Sumner, A. B. Thesis: *The Cromwellian Transportation of the Irish.*

William Ransom Tuttle, A. B., B. S. Thesis: *Studies in the Theories of Criminal Anthropology.*

For the academic year 1897-98, appointments to fellowships and post-graduate scholarships have been made in the leading American colleges, as follows:

Bryn Mawr College.—*Fellowship in Political Science*, Emily Fogg, A. B.

University of Chicago.—*Armour-Crane Traveling Fellowship in Political Economy*, Wesley Clair Mitchell, A. B.; *Fellowships in History*, Ernest Alanson Balch, A. M., Harry V. Church, Walter Flavius McCaleb, B. L., Adna Wood Risley, A. B., William Rullkoetter, A. B., and Henry L. Schoolcraft, A. B., A. M.; *in Political Economy*, H. J. Davenport, Katherine B. Davis and Edward Sherwood Meade, A. B.; *in Political Science*, Sophonisba Breckenridge, B. S.; Frederick Albert Cleveland, Ph. B., R. H. Whittin and D. S. Trumbull; *in Sociology*, Albert Thomas Freeman, A. B., Joseph C. Freehoff, B. S., and Joseph William Park, A. B.

University of Cincinnati.—*Fellowship in History*, Julia Worthington, B. S.

Columbia University.—*University Fellowships in Administration*, John Archibald Fairlie, A. B., A. M., and Robert Harvey Whitten, B. L.; *in Constitutional Law*, Clement Moore Lacey Sites, A. M., LL. B.; *in European History*, Allen Johnson, A. B., A. M.; *in Finance*, H. C. Metcalf, A. B.; *in Political Economy*, William Maxwell Burke, A. B., A. M.; *in Political Philosophy*, Edward Charles Merriam, Jr., A. B.; *in Sociology*, William Augustus Schaper, B. L.; *President's University Scholarship in Sociology*, John Howard Dynes, A. B.; *University Scholarships in Constitutional Law*, Theophilus John Moll, Ph. B., LL. B., LL. M., and William Dunlap Moore, A. B.; *in Economics*, Allan Perley Ball, A. B., A. M., and William Bernard Cutright, A. B.; *in History*, Francis Reid North, James Roy Perry, A. B., and Edwin Platt Tanner; *in Political Science*, Olin Wesley Hill, A. B., Roswell Cheney McCrea and John Randolph Neal, A. M., LL. B.

Cornell University.—*Fellowship in American History*, Walter Henry Ottman, A. B.; *Fellowships in Political Economy and Finance*, Charles Eugene Edgerton, A. B., and George Schuyler Schaeffer, A. B.; *President White Fellowship in European History*, Jerome Barker Landfield, A. B.; *in Political Science*, Robert Clarkson Brooks, A. B.; *University Graduate Scholarship in American History*, Byron Edmund Brooks, B. L.; *in Law*, Darwin Curtis Gano, LL. B., and John Nelson Stockwell, Jr., B. L., LL. B.

Harvard University.—*Henry Bromfield Rogers Memorial Fellowship in Sociology*, Morton Arnold Aldrich, A. B.; *Henry Lee Memorial Fellowship in Political Economy*, Thornton Cooke, A. B.; *John Harvard Traveling Fellowship*, Abram Piatt Andrew, A. B., A. M.; *Morgan Fellowship in History*, Arthur Mayer Wolfson, A. B., A. M.; *Ozias Goodwin Memorial Fellowship in Constitutional Law*, Arthur Lyons Cross, A. B., A. M.; *Parker Traveling Fellowship*, O. M. W. Sprague, Ph. D.; *Robert Treat Paine Fellowship in Social Science*, John Edward George, Ph. B.

Johns Hopkins University.—*Fellowship in Economics*, Charles Hillman Brough, A. B.; *in History*, Guy Carleton Lee, A. B.; *Hopkins Honorary Scholarship in History*,* C. W. Sommerville, A. B.; *Hopkins Scholarships in History*,* G. E. Barnett A. B., W. S. Drewry, A. B., D. E. Motley, A. B., and C. C. Weaver, A. B.

University of Nebraska.—*Fellowship in American History*, Albert S. Harding, A. M.; *Scholarship in American History*, Frank S. Philbrick, B. S.

* Offered to Virginia and North Carolina Students.

University of Pennsylvania.—*Joseph M. Bennett Fellowship in European History*, Edith Bramhall, A. B., A. M.; *George Leib Harrison Fellowships in American History*, Herbert E. Bolton, B. L., and Joseph Parker Warren, A. B.; *in European History*, Henry Lewin Cannon, A. B.; *in Political Economy*, William Henry Glasson, Ph. B.; *in Political Science*, William R. Patterson, Ph. B.; *in Sociology*, Francis Herbert McLean, A. B.; *George Leib Harrison Senior Fellowship in European History*, William Fairley, A. B., A. M., D. D.; *in Political Economy*, Walter Edward Weyl, Ph. D.

Swarthmore College.—*Joshua Lippincott Fellowship in History and Economics*, John W. Gregg, B. L.

Vassar College.—*Babbott Fellowship in History*, Eloise Ellery, A. B.

University of Wisconsin.—*University Fellowships in Economics*, James E. Hagerty, A. B., and Nathan A. Weston, B. L.; *in History*, Martha P. Barrett, A. M.

BOOK DEPARTMENT.

NOTES.

THE FOURTH ISSUE of the "Manual of American Water-Works"* reflects plainly the development which has been going on in this country in the direction of improved municipal conditions. According to the special reports collected for this manual, there were over three thousand cities and towns in the United States and Canada last year having waterworks. Of these, something over one-half in the United States and about three-fourths in Canada were owned by the municipalities in which they were situated. In addition to the special information in regard to the capacity, cost and business organization of the different plants covered by the report, the manual contains much information of the greatest value to students of social and economic science. A table is given showing that since 1895, while only twenty waterworks have passed from the ownership of the public into private hands, as many as two hundred plants have become public property. Further information is given in regard to the legal complications which have arisen between private waterworks companies and the cities in which they were located. The different systems of meters employed are described, as are also the methods adopted of dividing the expense of extending the waterworks plant, tapping main drains, etc., between those directly or indirectly interested. The volume gives indications of having been carefully edited, and will prove very helpful to the municipal reformer who is anxious to turn to exact information in regard to this important branch of municipal activity.

IN HIS STUDY of "*La France d'après les Cahiers de 1789*,"† M. Champion gives us an excellent statement of French conditions before the Revolution. He believes that the proper place to search for knowledge of these conditions is in the complaints and grievances sent to the king by his people in 1789, and is therefore a

* *Manual of American Water-Works for 1897*. Edited by M. N. BAKER. Pp. 626. Price, \$3.00. New York: Engineering News Publishing Co., 1897.

† *La France d'après les cahiers de 1789*. Par E. CHAMPION. Pp. 257. Price, 3.50 fr. Paris: Collin et Cie, 1897.

heartily believer in the work of French students who are seeking to make the collection of *Cahiers* more nearly complete.

The author has evidently devoted much time to the study of such of these documents as are available and the results of his work are valuable. In the volume before us he tries to sum up the results in chapters on "the provinces," the three orders, "the army and navy," "the church," "the obstacles to national unity," and such other subjects as are especially important. In all his work we find frequent references to his sources of information and at its close there is an index the more valuable in that it is usually omitted by French writers.

The work makes an excellent companion volume to M. Boition's "*Etat de la France en 1789*," but the reader must never forget that the *Cahiers* are above all a summary of complaints and grievances rather than a fair statement of the bright as well as the dark side of life at that period. It would seem that even the author forgets this when he attempts to describe "*La douceur de vivre sous Louis XVI*," for the chapter would rather justify the title "*aigreur*" than that given to it. The volume, however, is a valuable summary of the *Cahiers*.

M. GUSTAVE LE BON, in his little book entitled "Psychology of Crowds,"* has succeeded so well in delineating the leading general characteristics of the action of a crowd that those who are at present philosophizing about the lynchings that take place in the broad daylight of Ohio civilization would do well to read it. He treats of heterogeneous crowds, such as those which collect on the streets of a city which he styles as "nondescript," and juries, parliamentary bodies, etc., which are "*non anonymes*;" and then of homogeneous crowds comprising first, sects, political and religious; second, castes, military, clerical, workingmen; third, classes, such as the *bourgeoise*, peasants, etc. With this classification the author has examined and studied patiently the phenomena manifested by each. The account is at all times interesting and the results are in part at least instructive. The intellectual content of the thought which prompts the action of a crowd is almost always inferior to the intellectual ability of many persons and sometimes even of a majority of those who compose the crowd. This is explained by one of the author's fundamental propositions which is that it is always the unconscious elements which dominate a crowd; that there is never premeditation in its acts, but always a yielding to the

* *Psychologie des foules*. Par GUSTAVE LE BON. Pp. vii, 200. Price, 2.50 fr. Paris: Felix Alcan, 1896.

influence of imagery, to suggestions bordering on the marvelous, to the force of the commonest unconscious responses to certain general stimuli. Hence, crowds exhibit race traits strongly and are always weak in personality and a sense of responsibility. In a study of this kind there is great danger of sinking to the level of platitudes and meaningless generalizations. This cannot be charged however against M. Le Bon. Some of his generalizations have too much of the particular, derived from observation of French crowds which are in many ways peculiar. On the basis of a piece of work of this kind it would be interesting to have a more specialized scientific study of the phenomena exhibited at some of our southern or western lynchings, or by such organizations as Coxey's army. America might furnish considerable material along this line which has not as yet been treated on any higher level than that of sensational journalistic correspondence.

MESSRS. D. APPLETON & Co. have brought out a new edition of Lester F. Ward's "Dynamic Sociology"* in two volumes. It is a reprint of the original edition which appeared in 1883, with a new preface in which Mr. Ward gives an account of the history of the book and of the progress made in the public interest in its subject and a lengthy statement concerning the treatment of the book in Russia where a translation, of which one volume was printed, was confiscated by the government. Mr. Ward has been one of the most active writers in this country to promote an interest in sociology and to encourage its study along far-reaching lines and his volumes dealing professedly with only a part of sociological theory will always possess a peculiar interest to the American reader, both because of their historical position and because of their content.

IN HIS "Recent Centralizing Tendencies in State Educational Administration"† Dr. Webster has combined several articles which appeared in the *Educational Review* and has formed a study first, of the old "district system" of school administration and of its attendant evils; and, second, of the present tendency toward a more

* *Dynamic Sociology*; or, Applied Social Science as based upon statical sociology and the less complex sciences. By LESTER F. WARD. Two vols. Second edition. Pp. xxix, 706; vii, 690. Price, \$4.00. New York: D. Appleton & Co., 1897.

† *Recent Centralizing Tendencies in State Educational Administration*. By WILLIAM CLARENCE WEBSTER, Ph. D. Columbia University Studies in History, Economics, and Public Law. Vol. viii, No. 2. Pp. 82. Price, 75 cents. New York: The Macmillan Co., 1897.

centralized organization in this field of state activity. Basing his conclusions upon the later reports of the superintendents in the New England and Middle States, as well as on the reports of the United States Commissioner of Education, Dr. Webster finds that the "district system" caused an extreme subdivision of each state into minute but almost independent administrative areas and resulted, in the following important evils: extravagance, narrow provincialism, large number of officials and hence increased elections and electioneering, glaring and unjust inequalities of school taxation and school privileges, and administrative anarchy, *i. e.*, the lack of a harmonious school policy. This formidable arraignment of the old system, it must be admitted, is for the most part a just one. Nevertheless, one cannot but wish that the author had tempered justice with mercy in his condemnation. Certainly it should be remembered that, as a prominent Frenchman has recently said, the older states of the American Union grew from the periphery to the centre and not the converse, *i. e.*, they developed mainly on the basis of the local settlements and towns, and their administrative organization could not but reflect this fact. From this standpoint, then, the school district represents simply a natural phase of administrative development. It might also be said that the author discusses only the administrative side of the subject and seems to care but little for the probable influence which would have been exerted by a centralized organization on the political training and activity of the citizen. The sketch of the new methods of organization and of their relations to the courses of study, text-book supply, compulsory attendance, etc., is most complete and satisfactory.

"THE RAILWAY QUESTION IN CANADA"* is discussed in an instructive way in a pamphlet by Mr. J. S. Willison. The Canadian government has to deal with the same problems of railway regulation that are found in the United States, though the United States and the various states have made more progress than Canada in their treatment. A part of the pamphlet is concerned with a discussion of the Iowa law regulating railroads. This part of Mr. Willison's study is only a résumé of Dr. Dixon's book on "State Railroad Control in Iowa." Mr. Willison gives his unqualified approval to the mandatory type of railroad commission without, however, referring to the working of the advisory commissions of Massachusetts and other states.

* *The Railway Question in Canada*, with an Examination of the Railway Law of Iowa. By J. S. WILLISON. Pp. 73. Published by the Author, Toronto, 1897.

IN COMMENTING UPON the report of Messrs. Wines and Koren on "The Liquor Problem in its Legislative Aspects,"* the sub-committee of the committee of fifty remarks:

"It cannot be positively affirmed that any one kind of liquor legislation has been more successful than another in promoting real temperance." This negative dictum indicates that the sub-committee are not inclined to take too seriously the result of the investigations made by their agents. For if Dr. Wines and Mr. Koren are not ready to pronounce unequivocally in favor of any specific plan, they are at no pains to conceal their impression as to the relative degrees in which the various systems which they study have failed. The one which most distinctly merits contempt, and against which they are determined at all hazards to make out a damaging case, is prohibition. Less unsuccessful but still productive of serious evils is the high license system. The moderately restrictive system in vogue in Massachusetts before the enactment of the local option law is credited with having outlawed the saloon in a far greater number of towns than were to be found in Maine, under partially enforced prohibition. In Ohio where the liquor traffic is not outlawed at all but simply taxed, there are townships in which there are no saloons "there being simply no demand in them for liquor," and others in which local prohibition exists by law—altogether about one-fourth of the townships in the state. This plan is not altogether a bad one. The South Carolina dispensary system finally, "has closed the saloons, and nearly suppressed the illicit traffic." The writer evidently has no sympathy with the "political opponents of the dispensary authorities" who "deny that aught of good has been accomplished" or with the prohibitionists, who "will frequently not even admit that drunkenness has been reduced." It is only in this chapter that Mr. Koren exhibits any enthusiastic interest in his subject, though he praises with discrimination and detects several flaws in the system, the most important being the fact that the element of private profits has not really been eliminated as in the more famous Gothenberg plan.

The fact is that this first fruit of the work of the remarkably respectable and able committee is a disappointment, betraying a bias so pronounced and so utterly unscientific as to throw suspicion upon their ability to choose discreet and competent agents if not upon the value of their own deductions. No one can read the chapter

**The Liquor Problem in its Legislative Aspects.* By FREDERIC H. WINES and JOHN KOREN. An investigation made under the direction of Charles W. Elliot, Seth Low and James C. Carter, Sub-committee of the Committee of Fifty to Investigate the Liquor Problem, Pp. vi, 342. Price, \$1.25. Boston and New York: Houghton, Mifflin & Co., 1897.

on "Prohibition in Maine and its Results" without discovering the *ex parte* character of the material produced. Sentences might be quoted from almost any page to show that the agent reports as an advocate and not as a scientific student.

It is all the more necessary to call attention to the special shortcomings of this work because they are found just where the committee itself and those who have been interested in its investigation have expected the most conspicuous success. Liberal financial support and unbounded public confidence have been bestowed upon the committee. It has had an unprecedented amount of co-operation from public and private bodies and much private voluntary assistance. Gentlemen of high scientific standing have given their names to the enterprise and those who were employed to do the actual work have made constant profession of their impartiality and scientific method. The present book is only a first installment of the results of the inquiry, and deals with the legislative aspects of the problem. It contains much interesting matter and in spite of the evidences of personal bias it will probably stand as the beginning of our scientific work in this field. The chapters are of unequal merit, those on the "South Carolina Dispensary System" and on the "History of Prohibition in Iowa" ranking first in general interest. It is earnestly to be hoped that the forthcoming volume on the relations of intemperance to pauperism will not become a mere argument in behalf of the thesis that intemperance has had little or nothing to do with destitution. In such an investigation one does not expect traces of sympathy with temperance reformers but equally out of place are indications of anxiety to make out a case against them.

REVIEWS.

Glasgow, its Municipal Organization and Administration. By Sir JAMES BELL, Bart., and JAMES PATON, F. L. S. Pp. 426. Price, \$3.00. Glasgow: James MacLehose & Sons, 1896.

The purpose of this volume, as expressed by the Lord Provost in the prefatory note, "is to present. . . a comprehensive view the various means through and by which the complex work of a great corporation is carried on, and the intimate relation in which these and their result stand to the health, happiness and prosperity of the citizens." The details of municipal organization are carefully examined, and the work of each municipal department is described with a clearness and accuracy which makes this volume a model for monographic studies of a similar nature. It is only on

the basis of material as complete as that presented in this volume, that comparative studies can be carried on with profit.

One of the most surprising facts to the American reader, who is accustomed to regard rapid growth as a phenomenon peculiar to the cities of the United States, is the extraordinary increase of population in Glasgow during the last few decades. During the decade 1881-91, the population within the limits of the city increased from 511,415 to 656,185, a gain of 144,770. In 1890 several adjacent villages were incorporated into the town, bringing the population in 1896 to about 900,000. Since in 1801, the population was but 83,769, and in 1851, but 329,000, this growth is comparable with that of most of our American cities. In fact, if the population of the surrounding villages were included—and they constitute a part of the population of the city in fact, if not in form,—the Scotch metropolis would probably lead in the comparison.

From this record of the splendid work of the different departments, it is difficult to select facts most deserving of attention. In river and harbor improvement, in the field of health inspection, disease prevention and treatment, Glasgow has been a centre of influence and suggestion for the large cities of Great Britain. But it is through the extension of its municipal functions that Glasgow has attracted the greatest attention. The work of the "Improvement Trust" in clearing some eighty-eight acres of densely populated slum district, constitutes one of the greatest municipal achievements of modern times. In this work the city has expended about \$11,000,000, of which nearly ten millions have been devoted to the purchase and improvement of land and buildings, and the remainder to the erection of tenement and lodging houses. A new environment has thus been created for a large section of the population. The broad, well-kept streets, the model municipal tenements with strict regulations as to cleanliness, have given to the population the possibility of a broader and fuller life, and have reacted upon civic energy and activity creating a new bond between the citizen and the city.

In the management of street-railway franchises the experience of Glasgow offers much that is of permanent value to American cities. The short-term lease to a private company, the struggle over the terms of renewal, and the final decision of the city council to take over the management of the street-railway system, are facts well known to those interested in municipal affairs. Since the beginning of municipal management, the fares have been reduced, the hours of labor of employes gradually diminished, and the accommodations to the public greatly increased. In spite of this fact, the report for

the fiscal year ending May 31, 1896, shows an excess of receipts over working expenses of more than \$400,000.

Within the limits of a review, it is possible to touch upon only one or two salient points. An examination of the whole volume shows the deep moral significance of a well-conducted city government. To most readers its perusal will convey a new conception of the possibilities of organized municipal activity.

I. S. ROWE.

The Story of Canada. By J. G. BOURINOT, C. M. G., LL. D., D. C. L., Clerk of the Canadian House of Commons, etc. Pp. xx, 463. Price, \$1.50. New York: G. P. Putnam's Sons. London: T. Fisher Unwin, 1896.

The wealth of dramatic incident, in the records of hardships, struggle and adventure, in the vast schemes and inadequate resources, in the martyrdom of missionaries and in the recurring wars under the *ancien régime* furnish the materials for the first and larger part of this contribution to the Story of the Nations Series.

In drawing from these stores with an exact literary sense and a judicious appreciation of the essential, Dr. Bourinot has written a story of continuous and lively interest, in the course of which the characteristic influence exerted by Cabot, Cartier and Champlain, *coureurs-de-bois* and *voyageurs*, bureaucrat and priest, Indian and *habitant*, by French ambition and English lust of conquest upon the destiny of New France, is presented in a way which combines accurate scholarship and admirable clearness with great charm of style and keen feeling for the romantic aspects of the theme. The fortunes of the eastern settlements naturally receive considerable attention, though by no means at the expense of proportion in the narrative; and a calm explanation of the political necessity which prompted their transportation goes far toward justifying the English instruments of the Acadians' fate, without lessening our sympathy for this unfortunate and scattered people. Throughout the story the part played by the American Colonies—in the expeditions against Quebec, in the capture of Louisbourg, in intrigues with the Iroquois and the whole struggle for control of the fur trade and means of communication, for possession of the Mississippi and the valley of the St. Lawrence—is set forth with friendly appreciation of England's one time colonial allies.

In dealing with the period subsequent to the capitulation of Montreal, the author depicts, in broad and vigorous strokes, the gradual growth in population, political organization and dominion

reclaimed from the forest which, under the leadership of the Province of Canada, was advanced many stages further by the confederation of 1867. The attitude of Canadians during the American Revolution, the settlement of Upper Canada and other sections by Tory refugees from the United States in the last two decades of the last century, the conciliation of the French population to British rule, the Quebec Act of 1774 and the establishment of representative institutions in 1792 are subjected to graphic review. This is followed by an eminently tactful and (if one excepts Lundy's Lane) unprejudiced account of those troubles of 1812-14 and the insurrection of 1837 in which citizens of the United States also bore a part—not always, indeed, an altogether creditable one. What is said of the introduction of responsible government on the English parliamentary plan into the several provinces between 1840 and 1847, of the Fenian raids, of confederation and its makers, of the Riel Rebellion and of French Canada, while it brings to the reader a definite and vivid idea of the present situation, yet suggests strongly the impartiality and self-restraint involved in the honorable position as Clerk of the Canadian House of Commons which Dr. Bourinot has held for many years.

Thus, perhaps, it happens that the minor issues of Canadian politics are not considered in any detail, though in the book as a whole are treated rather the personal history and the political and constitutional development than the growth of material resources. Nor are what may seem to some certain graver and greater political problems discussed in this sketch. The slight increase of population in recent years, and the great emigration, as well from Quebec to New England as from the western provinces to other parts of the United States, are scarcely mentioned; and the ultimate influence of natural trade routes which run from north to south and conversely upon the effort to accomplish national development along a strip of habitable land running east and west, and a narrow strip at that, is not examined. Still, the progressive emancipation of the French Canadian from priestly control of his action in civil affairs, indicated by Liberal victories in Quebec, doubtless does promise the abatement of those race difficulties which religious differences have often sorely aggravated. And its great territory, the unmistakable national feeling in the popular consciousness and the system of practically autonomous government which has been developed out of English institutions quite justify, for the present, at any rate, the inclusion of Canada within the roll of nations.

R. M. BRECKENRIDGE.

Ithaca, N. Y.

Nominations for Elective Office in the United States. By FREDERICK W. DALLINGER, A. M. Pp. xiv, 290. Price, \$1.50. New York: Longmans, Green & Co., 1897.

The nomination of candidates for elective office has come to be recognized as one of the most important features of popular government. We have been loath to give this extra legal activity so prominent a place in our political system. We have continued to talk about a government by the people and to speak of officials as the "people's choice," but meanwhile "bossism" has abrogated to itself all political power, so that to-day no modest legislative measure can be passed, no official appointment can be made, and no candidate stand for election (at least with any hope of success) without the approval of the political "boss." In their unscrupulousness the "bosses" have torn away the mask, revealing the source of their power which lies in selecting candidates. The voters elect, but do not choose, officials.

It is with this eminently practical and important phase of our political life that the book before us deals. Having been secretary of the Republican city committee of Cambridge and a member of the Massachusetts Senate, the author speaks with authority on the methods and procedure of primaries, caucuses and conventions. Mr. Dallinger has brought together in a convenient form and in a systematic manner the latest that has been said on this topic. A spirit of fairness is manifest throughout the book. He describes in an unbiassed manner some of the most notorious cases of misrule of both parties.

The book is divided into four parts, and nearly sixty pages of appendices. Part I. enumerates the methods of nomination in vogue to the time of the adoption of the present plan about the year 1840. This is not an attempt at an historical study, but mainly a statement of isolated facts. In the early days of our republic but little thought was given to methods of nomination. While there were plenty of seekers for political power, politics had not become a business. The national convention was introduced by the insignificant Anti-Masonic Party at its first nomination. Like many other great political ideas it was the natural result of the conditions. Other parties utilized their legislative bodies to place candidates before voters, but the Anti-Masonic Party had not even a member of a legislature.

Although the author gives a summmary of our present system at the close of Part I., it is in Part II. that he takes it up in detail. He describes in succession the complete system of the several

divisions of wards, city, county, state and nation. Now, as certain parts of this mechanism reappear in each of these territorial associations the author has been led into frequent repetition which is both confusing and tedious. Furthermore, the lack of clearness is increased by the vast amount of minutiae recorded. The author seems to forget that clearness does not consist in an exhaustive enumeration of parts, but in a minute description of certain well-chosen features.

In addition he attempts to treat in a general way the subject of nominations for local office and to make generalizations which apply to whole sections of country. With our vast extent of territory, diversified industrial conditions and complex social relations it is impossible to make sweeping statements of local political customs, and anyone who reads Chapter II. will be convinced of the futility of such an attempt. In Part III. the defects of the system are discussed. These defects are illustrated by numerous well-selected examples.

Mr. Dallinger shows that the character of our nominees is not the result of the nominating machinery, but of the character of those who manage the system; that it is in unworthy hands "is the natural result of the spoils system aided by lax laws and an inexcusable neglect of the duties of citizenship." The various remedies for these defects are considered in Part IV. These are grouped under the heads: Regulation by party rules; by law, and supervision by citizens' associations.

The author here falls into the error made by so many political scientists of devoting his energies and space to a discussion of words and traditions rather than of living forces. It seems so difficult to escape documentary entanglement. Every student of politics would have been grateful if more had been said of the effective rules and laws. We want to know the effective forces in the preservation of popular government. We desire to know the relation of these rules and laws to their environment.

The appendices contain numerous documents illustrative of the entire nominating system.

J. Q. ADAMS.

University of Pennsylvania.

Industry in England; Historical Outlines. By H. DE B. GIBBINS, M. A. Pp. xx, 479. Price, \$2.50. New York: Imported by Charles Scribner's Sons, 1897.

In the history of no nation does the supreme importance of the rôle played by physical influences stand out more clearly than in

that of England. From the time when the isolated and extreme western position of the island determined the character of its early inhabitants, to our own day, when abundance of coal spells manufacturing supremacy, there has been hardly a stage in the development of that country but has been the obvious result of some peculiarity in its physical environment. This fact makes the task of the economic historian of England at once simple and full of difficulty. It is simple because the chief environmental features of England are so readily perceived, while it is difficult because it is so hard to decide just how much influence in moulding and determining the infinite details of industrial, social and political life is to be ascribed to each one of these features.

"Industry in England" emphasizes rather the difficulty than the simplicity of the task which its author has undertaken in trying to give a condensed account of the economic history of the British Isles. Although the author recognizes clearly in his opening chapter that the "special fitness" of England and of the English people for commerce and manufacturing is a fact of recent discovery, that the English are not an inventive people, but "owe most of (their) progress in the arts and manufactures to foreign influences," and that "the causes of English supremacy and commerce in the nineteenth century . . . with one great exception—the application of steam-power to industry—reside more in the natural advantages of the country than in the natural ingenuity of the people;" yet he seems to lose sight of these considerations in the body of his narrative. Immediately after he has emphasized the importance of objective influences in directing the course of English history, he begins his work not as one might expect, with a description of the physical characteristics of early Britain, but with an account of the early inhabitants. Coming then to the early invasions he is contented with a bare summary of the information contained in the ordinary text-book on English history, and makes no attempt to explain the motives of the invaders or to tell why it was that England gained only advantages from the inroads of foreigners, which were so disastrous to neighboring countries on the continent. As the material becomes more various the author's failure to explain events in their logical order is more conspicuous. Underlying physical causes are almost entirely lost sight of in his description of the manorial system, of the gilds and of later economic institutions, while the mistakes of individuals and of classes and such calamities as the Great Plague are exalted to the rank of historical facts of first-rate importance.

In the arrangement of his work Mr. Gibbins has shown great

discrimination. He has stoically resisted the seductions of the mediæval period, about which most authors find so much to say, because so little is known, and has kept nearly three-fifths of his volume for the treatment of the period beginning with the reign of Henry VII. Especially to be commended is the exhaustive attention which he gives to the events of the second half of the last and the first half of the present century. No author, since Arnold Toynbee, has appreciated so fully the importance of this period or done so much to explain how the "industrial revolution" reacted on the social and political life of the English people. In saying that "the change from the domestic system of industry to the modern system of production by machinery and steam-power was sudden and violent," the author goes, perhaps, too far. Recent investigations seem to show, on the one hand, that the "capitalistic system" had received some development before the era of steam, and on the other that the régime of the factory—taking the country as a whole—extended itself quite slowly. As to the greatness of the change when it was finally effected, however, there cannot be two opinions.

The later chapters of "Industry in England" betray socialistic leanings on the part of the author which will cause many readers to distrust his fitness to treat economic history with impartiality. Such a statement as that on page 470, that "the great mistake of the capitalist class in modern times has been to pay too little wages," has a curiously unhistorical ring about it, and taken in connection with the claim, put forward at the beginning of Chapter XXIII, that the "large capitalists of earlier manufacturing days" owed their accumulations to their own acuteness, coupled with the enforced abstinence of the laboring classes, suggests the question whether the author has made a sufficiently careful study of the elementary motives which served as the mainsprings of "industry" one hundred years ago, as they do at present.

Taken in its entirety, Mr. Gibbins' work is a great improvement upon his earlier "Industrial History of England," which has served him as a model in its preparation. It contains a mass of valuable information, not otherwise easily available, and is abundantly supplied with the exact references so dear to the serious student's heart. Relying largely on secondary sources, and too much perhaps on the writings of Thorold Rogers, the author yet displays no little originality in his interpretation of historical events and is careful to distinguish between fact and opinion.

The cordial reception accorded to his earlier work insures a wide sale for Mr. Gibbins' book, and it is probably better fitted than any

other that has yet been written to serve as a text-book of English economic history.

H R. S.

Histoire financière de l'Assemblée constituante. Par CHARLES GOMEL. Vol. II. 1790-91. Pp. 586. Price, 8 fr. Paris: Guillaumin et Cie.

The volume before us completes M. Gomel's financial history of the revolution down to the dissolution of the Constituent Assembly. Two volumes have been devoted to the reign of Louis XVI. before the gathering of the States-General, and the last two cover the period of that body's activity. It is not too much to say that for the first time a clear and dispassionate account of the financial policy of France during these years has been given to the public. The author appears to think that in following the financial thread he can best show the causes of the successive changes in France and in our opinion he has ample justification for this view, at least until 1791. The Bourbon monarchy was undermined by a reckless disregard of financial laws and the Assembly was at its weakest in questions of receipts and expenditures.

In this volume, as in the preceding ones, little attempt is made to describe factors in the changes which France was experiencing, except as they influenced the financial policy of her rulers, and yet the words used in these occasional descriptions are so excellently chosen that we often obtain a better idea of such other factors than we could have done from a more pretentious historian. Few readers will wish to cut out the author's short description of Mirabeau's life and influence or his analysis of the relations existing between the King and the Assembly.

As regards the more immediate financial questions, M. Gomel compels a clear understanding of existing conditions before he allows the student to discuss the changes introduced. Such explanations often lengthen a work unduly, or make it uninteresting to its readers, but our author avoids these errors much more easily than some others have done. His words do not seem to be interpolations, and we read his descriptions of the "*livre rouge*" for example, feeling that we should have been disappointed had it been omitted.

At the outset the author shows the difficult position of the Assembly resulting from its inability to oppose successfully the will or better the impulses of the people. With the most honorable intentions toward the legal owners of the land throughout France the Assembly was unable to enforce a policy of a gradual commutation

of feudal dues which it recommended. The destruction of the administrative and judicial machinery of the royal government made it impossible to reach the peasant effectively. The latter considered that the land had been taken from him, forgetting that he had never owned it, and wished to take possession of it immediately. Such immediate and unqualified possession the people considered as the best guarantee that feudal privileges would not be restored and they rejected absolutely the policy of gradual commutation ordered by the Assembly. Immediate occupancy in turn bound all the new owners to the revolution on which their title depended and excited an increased distrust of the rulers. Such an experience should, in M. Gomel's opinion, have taught the Assembly that a limitation of expenses and the formation of a new administrative system compelling obedience, were the most necessary reforms and that the latter at least was essential.

This view coincides with that of a part of the Assembly. Here it was thought that the confiscation of church property would sustain the government until such a system could be formulated. The expenses, however, were not reduced; it was found easier to issue assignats than to collect taxes, and as the former came to be considered as an inexhaustible financial resource additional expenses were voted instead of administrative reforms. In his discussion of this fever for the issue of assignats, the author is at his best although it must be admitted that the advocates of the system offer an easy mark for attack.

At length, toward the close of 1790, additional means of raising money were sought. A tax on real estate, as well as on personal property, was proposed which would provide for the necessities of the period. It was framed according to physiocratic principles, being levied on the average net product of a given piece of land, for the preceding fifteen years, and a list of expenses which must be deducted from the total product to obtain this was given. The care necessary to the just levying of such a tax was so great as to render its expediency doubtful even had the officials in charge been servants of an impartial central government. When this collection was entrusted to local bodies the difficulties became such that, in M. Gomel's words, "one may well be surprised that they were not perceived by the Assembly." Of course, the results were not satisfactory.

The tax on personal property followed the same lines of justice in its apportionment, and the Assembly had the experience of the *vingtième* and capitation to guide it somewhat in its work. Again, the practical result was not in harmony with the desired aim, largely

because of the difficulty of apportionment and the unwillingness of the local authorities to justly tax their own constituents. The Assembly did not fix the amount due from each department, so efforts were made to shift the burden. In his criticism of the Assembly's work in taxation it appears to the writer that M. Gomel is somewhat too severe. Although the results wished for were not obtained it is doubtful if any inexperienced body would have done better under the same conditions. Habits of waste are not outgrown in a year, although a conservative financier might expect them to be, and the author's criticisms fall more appropriately on a government which had not trained its citizens to act or on a king who could not furnish the necessary aid.

The remainder of the volume describes the increasing difficulties in tax collection, the growing differences between King and Assembly, and the warnings given that the new government under the constitution of '91 would be wrecked on the same rock that had destroyed the old. The acceptance of the constitution is recorded, the volume closing with a description of the popular feeling at the close of the Constituent Assembly and the wretched financial condition in which that body left the government. We shall await future volumes in the series with interest, and hope that finally, at least, the author will give us an adequate index.

C. H. LINCOLN.

Millbury, Mass.

The State and the Individual. An Introduction to Political Science, with Special Reference to Socialistic and Individualistic Theories. By WILLIAM SHARP M'KECHNIE, Lecturer on Constitutional Law and History in the University of Glasgow. Pp. xx, 451. Price, \$3.00. New York and London: The Macmillan Co., 1896.

If a book can be termed valuable which lays no claim to originality other than in the rearrangement and combination of old theories, the present work of Professor M'Kechnie deserves that designation. The author gives us a general survey of the whole field of political science with a particular object in view. This specific purpose we are told is "first to state impartially the points at issue between socialism and individualism, and to mediate between their claim as rival schemes for the regeneration of society; and, secondly, to offer a contribution toward the solution of some of the practical problems to which both systems address themselves."

In carrying out this plan, however, the author has found it necessary to make a preliminary inquiry into the nature, objects, sphere

and aims of the state. As the work is intended to appeal to others than those who have specialized in the field of political science, this introduction may be necessary. To one at all familiar with the subject, however, Professor M'Kechnie's treatment will add little of information. Scarcely a single point is given an adequate treatment. Debated and debatable points are taken up and decided in a single sentence or paragraph. In almost no case is the reasoning given with fullness. In the preparation of this part reliance has been placed entirely upon English authorities, or French and German works that have been translated into that language. The only American work cited is Hoffman's "Sphere of the State," a work without standing amongst our own publicists. Once entered upon the mazes of the theory of the state moreover the author has not been able to keep steadily to his original purpose. He devotes so much attention to this inquiry that the reader is apt to lose sight of the real purpose of the work.

In one respect, however, the author has performed a good service in this study. He has emphasized the necessity of studying the state from the standpoint of its legitimate sphere rather than of its nature. Political science addresses itself to the two questions: What ought the state to be? and what ought it to do? In the past the first question has received the almost exclusive attention of political philosophers. It is the second that should now receive the preference. We should first clearly know what the state has to do before we can determine under what form of constitution it is best able to do it.

The theories regarding the sphere of the state are grouped under the following five heads: (1) Opportunist, (2) Socialistic, (3) Individualistic, (4) Compromise, (5) Organic. The opportunist is the happy-go-lucky policy which advocates that no definite policy be followed, but that each difficulty be met as it arises according to its peculiar exigencies. The socialistic and individualistic schools represent, as their names import, the extremes of governmental interference and *laissez-faire*. The compromise solution is a *via media*. A judicial analysis is made of the arguments for and against these policies. The practical difficulties of organizing or afterwards conducting a socialistic state are fully shown. On the other hand, the inconsistencies and weaknesses of individualism are no less strongly presented. The anarchist is the only consistent individualist. Others must admit a sphere for the state, and in so doing must compromise with socialism. Individualists have set themselves the impossible task of first assuming a division between state and private activity that does not exist, and then trying to

find where it lies. In this no two individualists are completely in accord.

The author rejects all four of these theories. The true solution he finds in his so-called "organic solution."

Individualists and socialists always argue as if there was a natural antithesis between the individual and the state. Mr. M'Kechnie, it seems to us, deserves credit for the convincing way in which he combats this assumption. The relations between the state and the individual are essentially organic. "One without the other is a lifeless and indeed meaningless abstraction. All societies and all institutions are both socialistic and individualistic in their nature. What is wanted is not a mere compromise, but a principle which combines and transcends both classes of tendencies in a higher and nobler unity." This he finds in his organic solution. The keynote to this system is found in the following paragraphs (pp. 266 and 268): "The conception of an organic state involves two fundamental principles. In the first place, as nothing that affects the part can be indifferent to the whole, the state is bound by its laws and government to aim jointly with the citizen at the perfect development of every individual in the community. Nothing is beyond the proper sphere of government in pursuing this high end. In the second place, while nothing is suffered to remain outside the state, fit provision must be made for every individual enjoying a full life within it. . . . The organic theory alone fully explains all the problems of society and government, while it finds a place within it for the apparently conflicting tendencies of a socialistic and individualistic nature respectively—tendencies which are equally indispensable for the welfare of mankind, and equally ineradicable from the life of every community. Socialism and individualism are in the political world what the forces of attraction and repulsion are in the natural world. They seem opposed, and yet neither could exist without the other, while in the final unrestrained triumph of either, the whole established order of things would dissolve and pass away. . . . Political science can neglect neither the forces of integration nor those of differentiation. While maintaining the sovereignty of the whole and the coercive powers of the government, it must avoid all systems of slavery, and again, without neglecting the liberty and right of initiative of the social atom, it must provide against anarchy and disintegration. Nothing short of the organic theory can reconcile these contending interests and tendencies."

The organic theory means really private initiative and state control. The state must act for the most part by an indirect regulative

oversight rather than by its direct control or management. "It is possible, indeed," the author says, "to imagine a state of the future in which both the socialistic and individualistic tendencies of the present are exaggerated and yet robbed of their evils through the operation of an increased government control and government management." This distinction between direct and indirect control is made the keynote of the argument throughout the work. Though there is nothing strikingly original in this position, the manner in, and extent to which it is applied give a positive value to Mr. M'Kechnie's work. The essay is concluded by a series of chapters in which the application of this theory is made to practical politics.

On the whole, therefore, Mr. M'Kechnie's work cannot be considered as an original contribution to political science; nor indeed does the author make any such claim for it. It cannot fail, however, to be read with interest by those who are searching for a safe path between the Sylla of socialism and the Charybdis of individualism.

WILLIAM FRANKLIN WILLOUGHBY.

Washington, D. C.

State Aid to Railways in Missouri. By JOHN W. MILLION, A. M. Pp. xiv, 264. Chicago: The University of Chicago Press, 1896.

Mr. Million has written a detailed history of Missouri's experiences in giving aid to railways; and, for purposes of comparison, the author has outlined the results which followed the aid given to internal improvements by the other states. The forty-six pages devoted to the other states contain much information in a compact form and show that Missouri's policy, once adopted, did not differ greatly from that pursued by the other commonwealths.

Missouri gave little assistance to railways or other forms of internal improvements before 1851. The first chapter of Mr. Million's work is concerned with the period from 1806 to 1850, and shows that during this period Missouri was more conservative than other states. The aid given by the states to internal improvements was granted chiefly during the three periods of great speculation that came between 1830 and 1873, and the action of the states may be considered as a part, and an important feature, of those times of speculation. Missouri safely weathered the speculative period, ending in the crisis of 1837, without making any large appropriations of her credit or her funds; but during the active years which preceded the financial disturbance of 1857, she gave large aid to railway enterprises. Again, when the war closed, the treasury of Missouri was further raided in

the interest of railway enterprises. Between 1851 and 1868 Missouri contracted a railway debt amounting, in principal and accrued interest, to \$31,735,840. Between 1864 and 1868 the state disposed of her interest in the various railway companies she had aided for \$6,131,496; the net result of her railway investments thus being a debt of \$25,604,344. The story of the way in which Missouri's policy was initiated and executed, a portrayal of the influences which led the state from one act to another, and an account of the financial results of the policy pursued, constitute the contents of four well-written and lengthy chapters of the book. The closing chapter of the book is devoted to a brief summary and the author's conclusion. Other states had experiences similar to Missouri's and had to face like disastrous financial results. When they came to pay their debts, however, not all states were so honorable as Missouri was. That state never showed any symptoms of repudiation.

The book is not written to prove any thesis but "merely to present some information on state aid to railways that may be of value in the present discussion of somewhat similar questions." Accordingly the author carefully avoids discussing the question of the state ownership and management of railways, and it is only in the closing chapter of the book that he allows himself to express an opinion on that question. He is not an advocate of state ownership, and it is not surprising; for, although the author says in his closing sentence that "the foregoing study is not an argument for or against state activity in industrial matters," the book is really the strongest argument against state ownership of railways in this country that has yet appeared.

Mr. Million has done an excellent piece of work. The book is written in a thorough, painstaking and impartial manner from beginning to end, and every student of transportation will find the work instructive. It is to be hoped that this book may lead other graduate students to undertake similar studies. The history of the relations of each state to its transportation agencies should be investigated and made the subject of a monograph. Until this has been done we shall not possess the data pre-requisite to the fruitful discussion of American transportation. A beginning has been made. We now have Mr. Million's monograph and the excellent work on "State Railroad Control in Iowa," by Dr. Frank H. Dixon. Some other states are now being studied, and there is promise that before long we shall be in possession of several volumes of scientific transportation literature dealing with American conditions and experiences.

EMORY R. JOHNSON.

History of Proprietary Government in Pennsylvania. By WILLIAM R. SHEPHERD, Ph. D. Columbia University Studies in History, Economics and Public Law. Vol. VI. Pp. 601. Price, \$4.50. New York: The Macmillan Co., 1896.

After the research given almost exclusively to our federal constitutional development, attention is now being called to that of the colonies and states. This tendency toward a new direction of American political and historical studies must indeed be welcome to all who desire to deepen the existing well of our information in this field. For this reason alone, therefore, the "History of Proprietary Government in Pennsylvania" is deserving of attention. The work is divided into two parts: I., The Land; II., The Government of the Province. Recognition is thus given to a factor in our political development which has been but too often overlooked, the powerful influence exerted on the political and administrative organization of the various colonies by the nature and distribution of the land-holdings. In this connection Dr. Shepherd treats the early land-grants, the organization of the proprietary land-office, the rights and prerogatives of the proprietors in respect to land, the transfer of such rights to the state by the divestment act of 1779, boundary disputes with neighboring colonies and like matters, with some detail. The main interest of the essay, however, centres in the second part, where the author sketches briefly Penn's original ideas of government, his humanitarianism and his unselfish and determined espousal of democratic ideals. Penn insisted that the people must rule and wished "to leave to himself and successors no power of doing mischief, that the will of one man may not hinder the good of a whole country." Considerable space is devoted to the dissensions between the settlers and the proprietor, the mistakes of the latter and the exacting and arbitrary demands of the colonists. A more complete picture would perhaps be presented were the needs and claims of the settlers treated somewhat more fully with reference to their origin and growth. Considered, however, as an impartial history of this period from the governmental or proprietary side, the work may be regarded as a valuable addition to the literature of the subject.

JAMES T. YOUNG.

University of Pennsylvania.

International Bimetallism. By FRANCIS A. WALKER. Pp. 297. Price, \$1.25. New York: Henry Holt & Co., 1896.

As the subject of international bimetalism promises to be prominent in the discussions of the coming Congress, it is worth while

to call attention to the last work published by General Francis A. Walker. The book has not received the attention which it deserves. Its publication during the free silver campaign is probably responsible for the coldness of its reception by newspaper critics. As a whole it could not be used as a campaign document by either political party. It pointed out the disadvantages of monometallism and was, therefore, unpopular with the advocates of the single gold standard. On the other hand, no intelligent, unprejudiced reader could finish the book without coming to the conclusion that the free coinage of silver in this country alone would result in a useless and hurtful transition to a single silver standard. General Walker's book, therefore, while it has been denounced and derided by superficial critics, has received little candid consideration, and the general public is probably in ignorance of its merits and of its real purpose or thesis.

For twenty years General Walker was the foremost advocate of bimetallism on this side of the Atlantic. He never concealed his views upon the subject and in his various works, which have probably been more widely read than those of any other American economist, the advantages of bimetallism have been clearly and vigorously set forth. In collecting into a single volume a concise statement of what he conceived to be the argument for bimetallism, he was but continuing a scientific work which had occupied a large part of his life and it could not have occurred to him that any man having intelligence enough to read his book would yet be stupid enough to suppose that he favored the independent free coinage of silver in this country, a policy utterly discredited by the fundamental assumptions underlying his whole argument. "International Bimetallism" presents various reasons for dissatisfaction with the single gold standard, but there is not a line in it favoring the independent free coinage of silver in the United States. No one can question the candor with which he says in the preface: "While this little work, as the account of its origin shows, was prepared without the slightest reference to the impending political contest in the United States, I shall be glad if it proves to be in any degree instructive with reference to the question which is destined to underlie that great struggle."

The book is the outcome of a course of lectures given at Harvard University during the academic year 1895-96. It is popular in form and style, and can be read with understanding by men who have not had a training in economic theory. General Walker was too experienced a teacher not to know that he could very easily shoot over the head of the average university student. In the first of the eight

chapters he gives an interesting sketch of the early production and use of the precious metals. He points out clearly the significance with respect to mining of the change from slave labor to free labor, and the wastefulness of the policy which placed the mines at the disposal of the irresponsible farmer. In the second chapter he discusses briefly the monetary problems of the period from Augustus to Columbus and explains certain general propositions relating to the theory of money. Bimetallism in England is considered in the third chapter. This is followed by a sketch of French and American bimetallism; then a concise chapter upon the demonetization of silver and a review of the important conferences and commissions which have had the money question under consideration since 1875. The book closes with a remarkably clear summary of the leading facts and arguments bearing upon the whole discussion.

Much material not contained elsewhere in any single volume is found in this book. Almost every issue which has arisen in monetary discussion since 1870 is touched upon, so that a thoughtful reader is able to get from the volume a fairly comprehensive acquaintance with the whole subject. But the arrangement is defective. Theory is so interwoven with fact that considerable skill is required to disentangle the argument. In the chapter headed "Augustus to Columbus" we find a brief statement of the quantity theory of money; half the chapter on "French Bimetallism" is devoted to an exposition of the benefits of bimetallism, while the greater part of the "Review and Summary" treats of falling prices and credit. It is unfortunate that the theoretical discussion is thus scattered through the book, for no reader can perceive the significance of financial events until he has mastered the fundamental principles in the theory of money. The general reader who wishes to understand this book thoroughly, ought first to read either the author's work on "Money" or the chapters relating to money in his "Political Economy." Having thus obtained a grasp of the theory of the subject, he will find the volume on international bimetallism easy and profitable reading.

General Walker's argument on behalf of bimetallism is threefold: First, it will yield a more stable standard of value than monometallism; second, it will give the silver and gold countries of the world a common par of exchange; third, "the argument from the status," to wit: it would check the present downward tendency of prices and thus encourage all forms of industry. The first argument is in the main theoretical, but he endeavors to show that it does not lack inductive confirmation. This object he has in view throughout all his discussion of bimetallism in England, France and the United

States. He certainly makes it appear that the facts are on the side of the bimetallist. If one denies the so-called bimetallic law, according to which the world's money demand under bimetallism shifts from the dearer to the cheaper metal, thus preventing wide divergence from the coinage ratio, it is difficult to explain why gold and silver, despite great variations in product-ratios, varied so little in their value-ratios during the first seventy years of this century. General Walker makes this point very clear, but he does not make so clear as he might have done the reasons why the metals did not steadily conform to the French coinage ratio of $15\frac{1}{2}$ to 1. Various countries, including the United States, were offering commodities for sale for gold or silver at ratios different from that of the French mint. This fact furnishes abundant *a priori* reason for expecting to find the two metals exchanging at other than the French ratio in the markets of the world. Indeed, the French ratio was only a coinage-ratio, and on account of the different seigniorage charges upon gold and silver it could not have coincided with the value-ratio between the two metals. The seigniorage was nine francs per kilo on gold and three francs on silver. Thus the value-ratio between the metals corresponding to the coinage-ratio was 15.69 to 1, and the two metals might fluctuate in value from 15.45 to 1 to 15.74 to 1 without any chance for profit from the melting or exportation of gold or silver coin. General Walker touches upon this matter, but he does not give it sufficient emphasis.

It is doubtful whether the average reader will get a clear idea of the relation of so-called market value to the coinage value of gold and silver. The free coinage of a metal for use as money makes the metal itself money, adds to it a utility which it formerly did not possess, and makes it, therefore, the object of an entirely new demand. This demand is felt in all the markets of the world and helps make what is called the market value of the metal. This is an important theoretical consideration, since many writers, especially those who advocate monometallism, tacitly assume that the market value of gold or silver is purely an affair of commerce, the result of forces entirely independent of mints and statutes. As a matter of fact, however, no country can adopt either gold or silver as money and open its mints freely to the coinage of either metal, without affecting the market or so-called commercial value of the metal. In fact, there is some reason for believing that the money demand for gold at the present time contributes more to its market value than what is called the commercial demand. It is a favorite assumption of the monometallist that the value of gold is due to its uses in the arts and its cost of production, and that its use as money does not add

to its value. These are matters of theory, but they are of vital importance. Until they are agreed upon there can be no settlement of the controversy between monometallist and bimetallist. General Walker understood the theoretical side of the argument thoroughly, and it is to be regretted that he did not, in this book, give more space to a statement of it. He frequently uses the expression "market-ratio" as if it were a thing having no connection with the use of the metals as money. This will confuse the reader who seeks clear ideas.

Little fault can be found with General Walker's statement of what is known as the quantity theory of money. It is nothing more or less than the law of demand and supply applied to money. However, he gives so little space to the theory in this book that a reader who has not had a general training in economics will fail to perceive the full force of his argument. He lays himself open to criticism by the use of such language as "insufficiency of gold" and "restricted money supply." Those phrases throw the emphasis upon supply. They imply to the careless or prejudiced reader that prices have fallen in recent years because of changes in the supply of gold. The monometallist promptly sticks a pin in them by pointing triumphantly to the increasing production of gold in recent years. General Walker's meaning is that the demand for gold has increased at a faster pace than its supply, and that in consequence its value has risen, prices falling correspondingly. Scientifically the phrase "insufficiency of gold" is justifiable. It means simply that the amount of gold in the world is not sufficient to maintain prices at the old level. Yet the change in the value of gold is due to the increased demand for it, and a writer who does not wish to be misunderstood must avoid language which puts the emphasis upon the supply.

General Walker shows, perhaps, too little patience with the monometallist's contention that the recent fall in prices has been caused by improvements in production. It is not strange that he was impatient with this theory, for its advocates have frequently deduced from it the remarkable conclusion that gold has not risen in value, but that all other things have fallen. Improvements in production, growth of population and an increasing volume of exchanges, these things mean simply an increased demand for money, and if the supply of money does not increase in something like equal proportion, prices must fall. On the other hand, all these changes might take place and yet prices not fall, for the supply of money might be increased more rapidly than the demand for it. The theory that gold has not appreciated because the fall of prices has been due to

improvements in production may not be "monstrous," as General Walker calls it, but unless we invent new definitions of the words "value" and "appreciation," we must admit that he is right in calling it "absurd."

JOSEPH FRENCH JOHNSON.

University of Pennsylvania.

NOTES ON MUNICIPAL GOVERNMENT.

AMERICAN CITIES.

Direct Employment of Labor by Municipalities. The question of the direct employment of labor by municipal authorities is becoming one of increasing importance. The unsatisfactory results of the contract system have been apparent, for some years past, to those engaged in municipal work. Direct municipal control in the execution of public works is being advocated by many of the leading officials in the larger cities. Within recent years another aspect of the question has been attracting considerable attention. The possibility of greatly improving the condition of labor under direct municipal employment has been conclusively proven in several recent reports upon the subject. The policy of the London County Council, was one of the first and most important steps in this direction. While maintaining the high standards adopted at the very start, the council has been able to influence indirectly the general condition of labor in the various trades. It was thought at first that this new labor policy could only be maintained at the expense of the tax-payer. Bitter attacks upon the council were made by the more conservative elements in the community; claiming that the council had adopted a philanthropic scheme of employment which would result in the pauperization of the working classes. The results have negated all such forecasts. The true economy of the policy thus adopted has shown itself in two distinct ways: First, through the greater efficiency of labor thus employed; secondly, through the reduction of the cost of inspection and supervision over the execution of public works. The important part played by the latter element has been very generally neglected in discussions of the subject; but it constitutes one of the most important items of expenditure and tends greatly to increase the cost of contract work. The recent report of the Department of Labor* on the rate of wages paid under public and private contract, tends to fully confirm the facts of English experience. It is only necessary to cite one or two of the many trades covered in this report. Thus, in Baltimore, blacksmiths employed on public work directly by the city or state, and working fifty-four hours per week were paid from 22¼ to 30 cents per hour. Those employed on public work by contractors

*Published in the *Bulletin of the Department of Labor*, Washington, November, 1896. The investigation was conducted by Ethelbert Stewart and covers the cities of Baltimore, Boston, New York and Philadelphia.

and working sixty hours per week only received from $17\frac{1}{2}$ to 26 cents per hour; the same wages being paid by contractors employed on private work. Again, in the same city, carpenters employed directly by the city were paid an average wage of $32\frac{1}{4}$ cents per hour; those employed by contractors on public work were paid but $25\frac{3}{4}$ cents, while those engaged on private work by contractors were paid $26\frac{1}{2}$ cents. The report furthermore cites an interesting instance from the city of Boston, where the work of sprinkling streets was taken over by the city in 1895. In one district the cost under the contract system was \$5128.50; under direct municipal management but \$2540.

New York.*—*General Character of Mayor Strong's Administration.* As the end of Mayor Strong's term of three years approaches, it becomes possible to form an estimate of the meaning and the value of the results accomplished by his administration. He was elected in November, 1894, by a combination of all the political forces in the city opposed to Tammany Hall, under the leadership of the Committee of Seventy. All the candidates of that committee accepted the platform of the committee which contained the following declaration:

"Municipal government should be entirely divorced from party politics, and from selfish personal ambition or gain.

"The economical, honest and business-like management of business affairs has nothing to do with national or state politics.

"We do not ask any citizen to give up his party on national or state issues, but to rise above partisanship to the broad plane of citizenship, and to unite in an earnest demand for the nomination and the election of fit candidates, whatever their national party affiliations."

Mayor Strong took office on the first of January, 1895, pledged to administer his office in accordance with these principles. The result has been one of the most interesting episodes in the political history of the city. A general examination of the administrative work of Mayor Strong's government leads to the conclusion that during the past three years the city has had a striking illustration of the soundness of the theory that municipal administration ought to be separated at every point from mere party politics. This illustration presents two aspects. Upon the one hand, those heads of departments who have been appointed by Mayor Strong solely with reference to their qualifications have brought their departments to a state of efficiency far in advance of anything attained under the old Tammany régime. On the other hand, Mayor Strong's administration has presented instances of appointments to important offices made wholly or in part for political reasons; and, as a rule, these appointments have resulted in a continuance, to a greater or less

*Communication of James W. Pryor, Esq.

extent, of the abuses which under Tammany were prevalent in all departments of the city government. As a whole, the administration has been a great improvement.

Citizens' Union. The Citizens' Union has continued with industry its efforts to insure a united attempt on the part of all good citizens to elect at the November election municipal officers for the Greater New York who will administer the vast affairs of the new community for the benefit of the people, and without reference to political conditions. As it has become more and more apparent that the union meant to stand by its principles, and not to seek an alliance with any political machine, the representatives of boss rule have shown signs of distress which indicate that they see serious danger in the attitude of the union. Senator Platt and Mr. Edward Lauterbach have assailed the union with considerable vehemence, through the newspapers, Mr. Lauterbach going so far as to declare that he would prefer for mayor of the Greater New York an out-and-out Tammany man to any representative of the ideas advocated by the Citizens' Union. It is true that the gentleman who has succeeded Mr. Lauterbach recently as chairman of the republican county committee is more conciliatory. The temper of the union was shown at a meeting of its central committee of two hundred and fifty on the fifteenth of June, when the following resolution was adopted almost unanimously:

"Resolved, That it is the purpose of the Citizens' Union, as soon as practicable, to secure independent nominations for all offices to be filled in the city of New York at the next election."

On the seventh of June, the executive committee of the union which had approached Mr. Seth Low with the suggestion that he should become the union's candidate for the office of mayor of the Greater New York, received from him a letter in which he said that he was not at the time prepared to accept the nomination, and that he would not be inclined to accept it unless he were convinced that the demand for his candidacy was general among good citizens, and that his candidacy would prove to be a "unifying force among the friends of good government." Since that time the union has been engaged in securing from voters written expression of their desire that Mr. Low should become the candidate of the union; and it is believed that this expression is already so strong that it will be accepted as conclusive proof of the existence of the popular demand for the nomination of Mr. Low. Organizations similar to the Citizens' Union have been started in other parts of the Greater New York territory; and with the nomination of a strong ticket, untainted with machine politics, the movement would probably assume

formidable proportions. In the present city of New York, the peculiar territory of the Citizens' Union, the enrollment of the union is about 20,000, and the enrollment of voters desiring the nomination of Mr. Low about 50,000.

Street Railway Franchises. A warmly contested struggle is being waged between the various street railway companies for the control of the street railway system in the upper part of Manhattan Island. The contestants are the Metropolitan Traction Company and the Third Avenue Railway Company. The Metropolitan Company, the lessee of the Sixth and Eighth Avenue Railway system, applied for permission to change the motive power to electricity. The Third Avenue Company, which desires to obtain control of these lines, is urging upon the city authorities the advisability of exercising its option to purchase the system and re-lease it to another company. The original franchise grant of 1851 required the companies to file a statement of the cost of the road and gave to the city the option to purchase the same at an advance of ten per cent upon its cost. The Third Avenue Company offers to the city a bonus of \$10,000,000 on such cost of purchase, or will lease the roads, agreeing to pay to the city ten per cent on the cost of purchase plus an annual payment of five per cent of gross receipts. Soon after this offer was made, several individuals and companies offered to purchase the roads at a still more favorable valuation. The Metropolitan Company denies the right of the city to purchase the roads. The question has been submitted to the supreme court for an opinion. The report of the State Railroad Commission shows that the cost of the Sixth Avenue Road was \$621,602, and of the Eighth Avenue, \$665,181. It is evident that under such conditions of purchase the city treasury would receive a very large surplus. In this connection the recent decision of the court of appeals is of importance. The decision declared the building and operation of railways a distinct municipal purpose, thus disposing of one of the preliminary questions as to the possibility of municipal control and management of the street railway system.

Governor Black's Civil Service Bill.—In pursuance of his expressed determination to "take the starch out of the civil service," the governor procured, during the last days of the session of the legislature, the passage of a bill designed to introduce in a modified form the vicious principle of examinations under the control of the appointing power. The bill was condemned by all the friends of civil service reform; but the governor's signature has now made it law. It is of particular interest to the people of this city, because of the greatly increased opportunities for partisan use of the public service by any political machine that may secure control of the government of the Greater New York.

Constitutional Amendment.—The recent action of the New York Legislature on the Greater New York charter has proven the inadequacy of the constitutional provision which was intended to secure a greater degree of municipal home-rule. It will be remembered that one of the most important questions before the State Constitutional Convention of 1894 was the formulation of greater restrictions upon the power of the legislature in its relation to the municipalities. The clause finally adopted provided for the division of the cities of the state into three classes. Bills affecting municipalities are divided into two classes:—general city bills are those affecting all the municipalities of the class, and special city bills were those affecting less than all the members of one class. The constitution requires that special city bills be submitted to the mayors of the cities affected, and that in case of veto they be repassed by the legislature. It was expected that this provision would prevent the passage of laws obnoxious to the city authorities. The veto of the mayor of New York on the Greater New York charter was completely ignored by the legislature. The mayor's objections were confined to three points:—First, the provision for a bicameral city legislature; second, the perpetuation of the bipartisan police board; and, thirdly, the restriction of the power of removal, without charges, to the first six months of his term. All three of these points are fundamental to the system of government provided for in the charter, but made no impression upon the legislature.

Philadelphia.—A recent decision of the Supreme Court of Pennsylvania will seriously retard work on some of the larger undertakings upon which the city has embarked during recent years. Two loans of \$8,000,000 and \$3,000,000, respectively, have been authorized by the city council for the purpose of constructing a filtration plant, improving the gas works, the schools, and for other urgent purposes. The constitution provides (Article IX, Section 8) that "The debt of any city, county, borough, township, school district, or other municipality or incorporated district, shall never exceed seven percentum upon the assessed value of the taxable property therein, nor shall any such municipality or district incur any new debt, or increase its indebtedness to an amount exceeding two percentum upon such assessed valuation of property, without the assent of the electors thereof at a public election in such manner as shall be provided by law." The court holds that these two loans would take the city beyond the two per cent limit, and that a special election authorizing the same will be necessary. Whether such authorization will be obtained remains to be seen. Until this is done, however, great inconvenience will result from this sudden crippling of the city's finances.

Boston.*—*This Year's Municipal Legislation.* The law separating the public institutions of Boston is an important measure. Several years ago it was evident that the treatment of the inmates of the public institutions was governed more by motives of so-called "economy" in administration than by humane principles. A special board of visitors, appointed by Mayor Matthews, made recommendations for improvement, but these were not followed. Two years ago the commission of three in charge of the institutions was abolished and a single commissioner was constituted the head. While this effected a greater efficiency in management it was felt by those interested in public charities that it did not touch the root of the trouble, for the number of inmates in the institutions was so great that the charge was too much for one administration, while the requirements of the various classes called for entirely different forms of administration, according to the necessities of each class. Agitation to this end became most earnest, and the opinion of experts was unanimous in favor of the change. Proposed legislation was unsuccessful last year, but this year the desired change was made. In consequence the institutions are now separated into four classes, comprising respectively, the criminals, the paupers, the children and the insane. The paupers' institution department, the insane hospital department and the children's institution department are each placed in charge of boards of seven trustees, appointed by the mayor and not subject to confirmation. At least two members of each board must be women. The terms of the trustees are for five years each, with the customary provision for shorter terms in the earlier years. The penal institution department is placed in charge of the present institutions commissioner. A fifth department is the institutions registration department, in charge of the registrar of institutions, who is required to investigate and report upon cases that concern any of the several institutions. It is required that conferences shall be held at least four times a year between the mayor, two members from each board of trustees, the institutions commissioner, the registrar of institutions, and two members of the board of overseers of the poor, with a view to co-ordinating and advancing the work of the several departments.

Mrs. Alice N. Lincoln, who has led in the movement for this reform, calls attention to the beneficial results of a similar separation of institutions in New York City since January 1, 1896, where the condition of the inmates has already been greatly improved and the city has been saved a charge of between 400 and 500 cases needlessly supported at its expense.

The new Department of Municipal Statistics recommended by Mayor

* Communication of Sylvester Baxter, Esq.

Quincy has been constituted by the city council and the following five members have been appointed commissioners in charge, serving without pay: Lawrence Minot (chairman), Professor Dewey, of the Institute of Technology; Sumner B. Pearmain, Robert Woods and Dr. Hartwell, Director of Physical Training in the Public Schools. The City Engineer, Mr. Jackson, is a member of the board *ex-officio*. The normal terms of appointed members are five years, but at the beginning members are appointed for terms of five, four, three, two and one years. Important lines of statistical inquiry will be entered upon as soon as possible.

An act supplementary to that to consolidate the board of aldermen and the common council and reorganize the city government provides that, in case said act be accepted by a majority of the voters, no measure for the appropriation or expenditure of money, or granting any location, franchise, right or privilege in or under a public way, shall be passed by the city council unless it receives two separate readings, the second at least one week after the first; to pass such a measure over the mayor's veto a vote of two-thirds of all the members of the council is required. The date for holding the annual municipal election is changed to the third Tuesday in December.

An act establishing the Cemetery Department of the city of Boston places Mount Hope Cemetery and the other burial grounds belonging to the city in charge of a board of five trustees, appointed by the mayor, subject to confirmation by the board of aldermen.

An act relative to sewerage works requires the city council to appropriate annually a sum not exceeding \$1,000,000 for constructing sewerage works, as ordered by the street commission, and also sums sufficient for maintaining and operating said works. A peculiar feature of the act is that providing for the bringing of suits for damages for property taken before a jury of the superior court of the adjacent county of Middlesex, rather than in Suffolk county. Under the policy governing remunerative municipal enterprises and investments, like waterworks, parks, etc., these sewerage loans are placed outside the debt limit of the city. The street commission is required annually to determine just and equitable charges upon estates for construction, maintenance and operation of the sewerage works, taking into consideration in fixing the charges the necessity of the works as caused by each estate, the amount of use thereof, if any, by the estate or its occupants, the benefit received therefrom by the estate, the amount of sewerage assessments previously paid, length of time since such payment, the use heretofore made of the sewerage works by the occupants of the estate, and such other matters as shall be deemed just and proper. This practically

applies to sewerage the same principle governing the fixing of water rates.

Under the act which legalized the acceptance by the city of the gymnasium recently presented by a public-spirited lady, Boston is authorized to establish public gymnasia, not exceeding one to each ward, and to accept donations of lands or buildings fitted with gymnastic apparatus.

Greater Boston Legislation. The metropolitan park commission, established in 1893 for the Metropolitan Parks District, comprising Boston and the surrounding group of municipalities known as Greater Boston, has been authorized by the legislature to expend \$1,500,000 in its work, in addition to the sums appropriated in previous years, amounting to \$2,800,000. Of this amount, \$500,000 is for general purposes and \$1,000,000 for constructing roadways and boulevards within and connecting with its park reservations.

Portions of the towns of Lexington and Wakefield have been added to the Metropolitan Sewerage District, and the metropolitan water commission has been authorized to admit the town of Stoneham into the Metropolitan Water District on application of said town.

Omaha.*—Omaha is now being governed under the new charter which was enacted by the late fusion legislature and went into force March 15 last. The constitutionality of the charter was attacked in the courts but the law was upheld in all essential points in a decision handed down by the supreme court the last week in June.

Under the new charter the principal executive officers, namely, the mayor, city clerk, city treasurer, comptroller and police judge are continued and the new office of tax commissioner created. Of the appointive offices a number were discontinued, among them three sinecure salaried places by the board of public works. The term of the new officers who were elected in April and took their seats in May, is for three years. In order to separate the municipal election from the state and county elections a separate city election was established for March of each third year. The powers of the government remain vested in the Omaha council, but the council is reduced from eighteen members to nine members who, while chosen from the separate wards, must be elected by the voters of the entire city.

Aside from the reduction of the salaries and the abolition of a few useless offices there are several interesting features in Omaha's new municipal charter. With respect to the granting of franchises the charter provides that no ordinance granting or extending any franchise shall be passed for two weeks after its introduction nor

*Communication of Victor Rosewater, Esq.

until it has been published daily for two weeks and no new franchise shall be granted, nor existing franchise extended except with an annuity to the city based upon either a fixed amount every year or a percentage of the gross earnings, nor until approved by a majority vote of the electors at a general or special election.

In order to obviate the regularly recurring contest for designation of the official organ of the city, and at the same time to enable people of all political parties to see the city official notices, the charter itself establishes the rate which shall be paid for such advertising and makes it incumbent upon the council to designate two established daily newspapers which shall signify their acceptance of the terms.

A peculiar provision also exists in relation to disputed claims against the city for labor and material. According to this section no such bill for labor or material which has been adversely reported or rejected by the administration under which it was incurred and no bill not presented within eighteen months from the time it became payable can be allowed and paid by any subsequent administration except through an order of the court in which it has been sued and judgment secured.

The power of the mayor and council to order street improvements at the expense of the abutting property owners are similar to those which prevail in other cities, but a distinction is made between paving and repaving. The council is empowered to order the paving of streets within 3000 feet of the court house without respect to the wish of taxpayers against whose property the cost is to be assessed. Beyond that limit the power of the council to order paving exists on condition that a prescribed percentage of the property owners do not enter formal protests. For repaving, on the other hand, a petition of the owners of a majority of front feet abutting is necessary to give the council jurisdiction.

The intention of the new charter in establishing a special tax commission was to secure a separate assessment on personal property for city taxation. Inasmuch as such an assessment is expected to increase the tax valuation, the amount of the authorized levy for a special fund which has heretofore been a percentage of the total levy has been changed to a fixed sum enumerated in the charter for which municipal taxes may be levied.

The new charter is specially stringent with respect to city officials being interested directly or indirectly in contracts with the city. It also contains an express prohibition upon the city officials, agents and employes from receiving or soliciting any contribution of money or supplies of any kind or receiving special privileges at the

hands of any city contractor or any franchised corporation. All officials and agents of the city are also prohibited from soliciting or receiving, directly or indirectly, the political support of any contractor, franchised corporation or railroad company for any municipal election or for any other election or primary election, and franchised corporations and railroad companies are prohibited from furnishing or appropriating any money to promote the success or defeat of any person in any election or primary election held in the city, or to promote or prevent the appointment or confirmation of any appointive official of the city. The violation of this provision on the part of a city official is declared to be malfeasance which shall subject him to removal from office and a fine not exceeding \$500. A violation on the part of a franchised corporation will work a forfeiture of its franchise and the imposition of a fine not exceeding \$500 upon it and every officer or agent implicated therein. Any officer or agent of the city who shall make a demand for money or other valuable consideration upon a franchised corporation or a public contractor under threat to introduce or vote for a measure adverse to their interests or promise to prepare or introduce a bill favorable to such company or contractor also subjects himself to the penalties for malfeasance.

While the new Omaha charter was passed by the legislature largely as a political measure with the expectation on the part of the fusion legislature that it would result in a fusion victory at the first city election held under it, this expectation was disappointed and the Republicans continued in control of the city government. While it is perhaps too early to render judgment upon a charter which has been in force only three months, with a few minor exceptions, it seems to be an improvement and to be working satisfactorily to citizens and taxpayers.

Missouri.—Street Railway Franchises. The eighteenth annual report of the Bureau of Labor Statistics contains a discussion of the payments by street railway companies to the cities of the commonwealth in return for franchise privileges. The comments of the commissioner upon the relation of the street railway companies to the cities of St. Louis and Kansas City, show that franchise grants have been made with little or no attempt to secure anything like an adequate return. In the city of St. Louis some three hundred miles of street have been granted; the value of the franchises being estimated by the commissioner to be nearly \$30,000,000. Taking 5 per cent as the legitimate return upon the value of these privileges, the commissioner concludes that the city ought to receive \$1,478,582 annually. Instead of this, however, but \$47,500 are paid. Were the street

railways to pay this annual rental of nearly \$1,500,000, their profits would still be $5\frac{3}{4}$ per cent on the capital invested.

In Kansas City, the conditions are less favorable than in St. Louis. Here the companies pay absolutely nothing for the privilege of occupying some sixty-three miles of street. The commissioner estimates the value of the franchises at \$6,014,580, a 5 per cent return upon which would bring into the city treasury some \$300,729 annually.

One part of the report is devoted to a discussion of the evasion of taxation by the street railway companies. The commissioner shows that the valuation of the lines is far below their actual value. Thus, the actual value of the St. Louis street railways is \$37,987,000; they are assessed, however, at \$4,246,190; in other words, but 11.17 per cent of their true value. Private property on the other hand is assessed at 50.40 per cent. The commissioner in drawing conclusions from this condition of affairs points to the political influence exercised by the street railway companies as the true cause.

FOREIGN CITIES.

Paris.—*Underground Railway.* During the last few years the construction of an underground railway has been occupying an important place in the discussions of the municipal council. The means of communication, especially in the central portions of the city, are utterly inadequate to meet the needs of passenger and freight traffic. Complaints in regard to the former at least have been continuous and well founded. The plan for a system of underground rapid transit has been before the public since the Exposition of 1889; the lack of proper facilities having been particularly evident at that time. Since then the project has not slept. The municipal council has been anxious to see a portion of the work completed before the Exposition of 1900. As soon as the question of method of construction came before the council radical differences of opinion made themselves felt. A considerable number favored the construction, management and control by the municipality; others advocated private construction and management. The majority, however, favor construction by the municipality, but management by a private company. Although the final decision has not as yet been reached, it is probable that this latter system will be adopted. The committee, in a report to the council, recommends the following conditions of lease:

1. The company to pay to the city one cent (five centimes) for each passenger carried. The committee estimates an annual traffic of 110,000,000, which will mean an annual payment of \$1,100,000.

The cost of fare is not to exceed five cents for first class and three cents for second class. Special workingmen's return tickets at the rate of three cents must be issued.

2. The term of lease is to be thirty-five years, at the end of which the city enters into full possession of all the lines.

3. The motive power is to be electricity, or some force other than steam to be approved by the council.

The length of lines as planned is to be about forty-five miles, crossing the city in different directions. It is interesting to note that after having given the various systems of adjusting relations with private companies a fair trial the authorities have determined to hold to the "proportion of gross receipts" as the fairest and least troublesome method.

Unification of Administration. The agitation for municipal home-rule is quite as strong in Europe as in the United States. The spirit of centralization which characterized the Napoleonic legislation placed the municipalities in the power of the central government. The mayor, members of the town council and city officials were under the Napoleonic régime, appointed by the central government. With the exception of two reactionary periods the tendency of French legislation since 1815 has been toward assuring to the municipalities a greater measure of home-rule. Paris has never profited by the change; the central government being unwilling to lessen its control over the administration of the capital. A bill, recently introduced by M. Alphonse Humbert, accompanied by a detailed report, has brought the question before the French Parliament. It is probable that the government will make certain concessions to the principle of home-rule. During the last few years a distinct change in the spirit of enforcement of the law has taken place. The central government has been extremely careful to limit its direct interference in municipal affairs. As a result the power of the municipal council has greatly increased. The next session of the legislature will probably bring a change in the relation between the state and municipal authorities.

SOCIOLOGICAL NOTES.

Atlanta Conference on Negro City Life.—In the *ANNALS* for July* some account was given in the Sociological Notes of the investigation conducted by the University of Atlanta, concerning negroes in cities. An analysis of that work, together with numerous tables, was published by the United States Department of Labor in its *Bulletin* for May. It was also stated that the facts brought out in that investigation were made the subject of discussion at the second Conference for the Study of Problems concerning Negro City Life held at Atlanta University on May 25 and 26 of this year. The papers and outlines of the discussions on that occasion have just appeared in print as "Atlanta University Publications No. 2." Much credit is due to Mr. George G. Bradford, a lawyer of Boston and a trustee of Atlanta University, for his persistent efforts to organize practical conferences on a strictly scientific basis as a part of the public duty of the Atlanta University in dealing with the question of the proper education of the negro. The whole tone of the two gatherings that have been held thus far has been of a far-reaching and helpful character.

One of the papers summarized the results of the investigation as follows:

First.—All the data in the investigation have been gathered by intelligent colored men and women living in the communities covered (chiefly Southern cities). These investigators were not hindered by obstacles which make it difficult for a white man to get accurate information of the family life, habits and character of the colored people. These colored investigators cannot be charged with prejudice and designs against the interests of the colored people. For these reasons their work is thought to be more than usually accurate and reliable.

Second.—Overcrowding in tenements and houses occupied by colored people does not exist to any great extent, and is less than was supposed.

Third.—In comparison with white women, an excess of colored women support their families entirely, or contribute to the family support, by occupations which take them much of their time from home to the neglect of their children.

* Vol x, p. 143.

Fourth.—Environment and the sanitary condition of houses are not chiefly responsible for the excessive mortality among colored people.

Fifth.—Ignorance and disregard of the laws of health are responsible for a large proportion of this excessive mortality.

Another paper shows that the colored death-rate exceeds the white, the excess averaging for five cities, during a period of fifteen years, 73.8 per cent; that the death-rate of the colored population in these five cities is lower for the period 1890-95 than for the period 1881-85, thus indicating some improvement; that the principal causes of the excessive mortality among the colored people of these cities are pulmonary diseases and infant mortality; that the least disparity between the white and colored death-rates is for those diseases due to unwholesome sanitary conditions, such as typhoid, malarial and scarlet fevers, diphtheria and diarrhea. The writer of this paper, Mr. L. M. Hershaw, of Washington, says, in conclusion: "This last fact, that the excessive death-rate of the colored people does not arise from diseases due to environment, is of vast importance. If poor houses, unhealthy localities, bad sewerage and defective plumbing were responsible for their high death-rate, there would be no hope of reducing the death-rate until either the colored people became wealthy or philanthropic persons erected sanitary houses, or municipalities made appropriations to remove these conditions. But since the excessive death-rate is not due to these causes, there is reason for the belief that it may be reduced without regard to the present economic conditions of the colored people."

Resolutions and recommendations were adopted at both the sectional and general meetings of the Conference. Some of them went pretty sharply into details on questions of individual conduct and all of them were free from sentimentality and were exceedingly earnest in spirit. Here are some of the general resolutions:

Resolved, that it appears from the result of the investigation:

First.—That the excessive mortality among negroes is not due mainly to environment;

Second.—That the excessive mortality among negroes is largely due either to their ignorance or to their disregard of the laws of health and morality;

Third.—That the excessive mortality and the apparent increase of immorality among the negroes is chiefly due to neglect of home and family life, the chief cause of which is the extent to which the mothers are obliged to go out to work;

Fourth.—That the failure of the men to entirely support their

families with their earnings has a most serious effect upon the social, physical and economic progress of the race;

Fifth.—That, finally, it appears that the negro must reform himself, and that he is not dependent upon charity or municipal regulations, but has the means in his own hand.

Resolved, That the following recommendations be made:

First.—That the attention of members of the Conference during the coming year be concentrated on reforms in the family life of the negro;

Second.—That greater care and attention should be given to the home-training of children, and also of young men and young women, and that parents' associations and mothers' meetings should be formed for that purpose;

Third.—That day nurseries should be provided for the care of infants and young children in the enforced absence of parents;

Fourth.—That friendly visiting among the poor should be more general and more systematic, and that friendly visitors should hold weekly or monthly conferences under the direction of those who are making a special study of social problems.

There was a vast amount of plain speaking and pointed discussion on the part of the colored speakers at the Atlanta Conference. There is no more encouraging sign than just such work on the part of the colored people themselves. The educated colored man can say things to his own people that come with poor grace from a white man, and there is the further advantage that it is not so apt to give offence in cases where the advice is unpalatable.

In connection with this topic we wish to call attention to an able article by Dr. W. E. B. DuBois in the *Atlantic Monthly* for August. It is entitled "Strivings of the Negro People," and has special interest coming as it does from one of the best trained colored leaders who has just been elected Professor of Social Science and History at Atlanta University.* It goes to the root of the so-called race problem in a fresh and instructive manner.

The Consumers' League.—Most of the active recent discussion of economic theory has been along the lines of consumption and its influence on production, distribution, value, price, etc. Professor Patten in this country, Professors Marshall and Smart in Great Britain, and some members of the Austrian school, have often hinted at ways in which this newer economic doctrine could be made socially effective and could be given an ethical application of the highest importance. The Consumers' League is the crystallization of some of these ideas in a practical attempt to render them operative

*See above p. 104.

on a scale large enough to change some of the worst existing industrial conditions.

Mr. John Graham Brooks has discussed the subject before large audiences in Boston, New York and Chicago for some time and his labors have begun to bear fruit. He defines the Consumers' League as "an association of persons who desire, so far as practicable, to do their buying in such ways as to further the welfare of those who make or distribute the things bought." He states the idea of buyer's responsibility as follows:

"We shall give these truths their simplest form of statement if we say that the buyer (consumer) may be, in the very act of buying, a creator. The shoddy buyer is shoddy maker. In a very real sense, to buy a harmful thing is to help make that thing. We often use the words 'order' and 'get made' in ways which bring out the responsibility of the buyer for the kind of thing he 'orders' or 'gets made.' 'I hate these high-heeled and narrow-soled boots,' says a manufacturer, 'but people will buy them and so I make them.' Still more than this is true; to buy products made by laborers working in unwholesome surroundings is to help perpetuate those evil circumstances. . . . If, in the world's economic processes, to buy an ugly thing is to get it made; if to buy sweated garments is to become a partner of the sweater, we should readily concede that buyers have a responsibility as definite as it is serious."

Members of the league endeavor to find out how the goods which they buy are made and to buy only those made under wholesome conditions. Professor Smart was for many years at the head of a large and successful industrial establishment. He speaks therefore with knowledge of the actual industrial possibilities when he says: "A slight awakening of the public conscience has induced some to ask if it is not possible to demand some guarantee that the goods we buy are made by workers paid decent wages and working under healthy conditions." This is the method pursued by the league, to demand some guarantee from the seller that the things sold are made under right conditions without unnecessarily sacrificing human life and happiness. Some leagues have a "white list" of stores which the members patronize because they have received from them satisfactory guarantees that the goods sold there are made under fair conditions. In the very large stores, however, it is often almost impossible for the management to know about the sources from which all their goods come. Not until the demand for this information comes from a much larger per centum of their buyers will they take the trouble to know. Most managers of such establishments admit that if the buyers, or any large number of their

patrons, really cared about and insisted on knowing how the things they bought were made it would not be long before ways were devised by which such information could be furnished. Mr. Brooks, at present, seems to prefer a "white list" of goods rather than a "white-list" of stores. He recognizes fully that the large store and even the bargain counter has a legitimate work to do, and under present conditions greater care in the selection of the articles we buy would do more good than any blind reliance on particular stores.

Cheap goods are not necessarily made under bad conditions. Mr. Brooks is careful to point out how improved machinery and tendencies in the factory type of industry make it possible to produce cheaply and yet under the best conditions for the wage-earner. Indeed, he carries this thought out until he reaches the conclusion that the factory type, not necessarily the large factory, but the factory type of industry is preferable to any home industry. It can be brought under better inspection for one thing, and the industrially unfit classes, whom every economist admits are the worst enemies of the large mass of wage-earners, can be more readily eliminated from harmful competition. Even a new distribution of power, such as may be looked for from electrical inventions, instead of bringing back the home industry, may preferably bring about a better distribution of factories as regards geographical location, and perhaps a larger number of small factories which can compete with the large ones.

The union labels, which are being used more widely every year, are usually a guarantee of wholesome sanitary conditions, fair wages and reasonable hours for the worker. Mr. Brooks might discuss this method a little more fully and deal also with the real difficulties and dangers from an abuse of the power thus placed in the hands of the unions and what safeguard can be used against them. No one is more competent, from practical knowledge of the workings of the unions, to speak on this subject than the author of the interesting pamphlet which explains the Consumers' League.*

A high standard of excellence in demanding only perfect goods, which are always the cheapest from the point of view of true economy, is one sure method of helping to secure for the producer the fairest conditions of life. If league members will follow this rule, even when it means a curtailment in amount of things consumed,

* *The Consumers' League.* The economic principles upon which it rests and the practicability of its enforcement. By JOHN GRAHAM BROOKS. Pp. 26. Price, 15 cents. Cambridge: The Co-operative Press, 1897. Profits from sale of this pamphlet go for the uses of the league.

that is fewer wants and better wants, they will free themselves from many obstacles in attaining their real aim. It is rarely possible to produce reasonably perfect goods under bad conditions for the wage-earners. In the long run bad conditions produce poor goods and the wise buyer will serve himself and the cause of the league by a critical avoidance of makeshifts for articles which he cannot afford to supply properly or because they are apparently cheap. Mr. Brooks, in future editions of his pamphlet, may well give more room to the elaboration of this idea and at the same time explain to the uninitiated more fully what the union label is and what it involves.

Dietaries of Institutions in Boston.—In the second annual report of the institutions commissioner of Boston for the year ending February 1, 1897, the results are given of an investigation into the food supplies of the various institutions under the control of the city of Boston, which the commissioner directed Mrs. Ellen H. Richards and Miss S. E. Wentworth, chemical experts of the Institute of Technology to make. The changes in the dietaries which have resulted from this investigation are instructive and may well encourage similar work in other cities.

For prisoners and inmates of houses of correction who are usually able-bodied adults it is recommended that the food should not be stimulating. It should contain less meat and more bread, fewer spices and condiments than the ordinary diet. It should be well cooked, palatable and easily digested food, but not too attractive a menu so as to encourage petty crimes. The light exercise ration which should go to all, with an extra allowance to those who work, is as follows:

Meat and fish (four-fifths meat and one-fifth fish).....	10	ounces
Salt pork, lard, suet, etc.....	1	"
Plour, etc.....	14	"
Oatmeal, cornmeal, hominy, barley, etc.....	2	"
Peas, beans, cheese, etc. (seven-eighths peas and beans; one-eighth cheese).....	2	"
Potatoes.....	12	"
Vegetables.....	6	"
Sugar.....	2	"
Milk.....	4	"

This is estimated to yield: proteid, 103 grams; fat, 73 grams; carbohydrates, 426 grams; calories, 2848. The cost, exclusive of tea, coffee and condiments, is supposed not to exceed seven cents at present market rates in Boston.

For reformatories, where inmates are usually young and where

more systematic hard work is carried on with a view to reform, the following dietary containing more meat and fat is recommended:

Meat and fish (three-fourths meat; one-fourth fish).....	12	ounces
Salt pork, lard, suet, etc.....	1	"
Flour, rice, etc.....	14	"
Oatmeal, cornmeal, hominy, barley, etc.....	2	"
Peas, beans, cheese (seven-eighths peas and beans; one-eighth cheese).....	2	"
Potatoes.....	12	"
Vegetables.....	6	"
Sugar.....	2	"
Dried fruits.....	$\frac{1}{4}$	"
Milk.....	4	"
Butterine.....	$\frac{1}{4}$	"

This is calculated to yield: proteid, 111 grams; fat, 91 grams; carbohydrates, 436 grams; calories, 3088; and to cost, exclusive of tea, coffee, condiments, etc., eight and one-fourth cents.

For almshouse inmates the report recommends the house of correction diet for all able-bodied adults for whom it is desirable to make the institution as little attractive as possible; for the old and infirm inmates, a more generous ration, as follows:

Meat and fish (three-fourths meat; one-fourth fish).....	7	ounces
Salt pork, lard, suet, etc.....	$\frac{1}{2}$	"
Flour, rice, etc.....	11	"
Oatmeal, cornmeal, hominy, barley, etc.....	2	"
Peas, beans and cheese.....	1	"
Potatoes.....	6	"
Vegetables.....	4	"
Sugar.....	3	"
Dried fruits.....	$\frac{1}{2}$	"
Milk.....	12	"
Butterine.....	0.7	"
Eggs.....	$\frac{1}{2}$	"

This is expected to yield: proteid, 83 grams; fat, 71 grams; carbohydrates, 368 grams; calories, 2509; and will cost about eight cents, exclusive of tea, coffee and condiments.

For children it is intended that the food will permit of growth as well as sustain life. For children over six the same schedule as that just given for old persons is recommended with the following changes: increase the amount of beans and peas one ounce, milk four ounces, dried fruits one-fourth of an ounce, eggs also one-fourth ounce. This is expected to yield: proteid, 93 grams; fat, 77 grams; carbohydrates, 389 grams; calories, 2692, and should not cost more than nine cents, exclusive of cereal coffee, condiments, etc.

For the insane it is necessary that the diet shall be as nourishing as possible in order to work any improvement. Chronic cases may be kept on a simpler and less costly diet, but for the more hopeful cases the following average diet is recommended:

Meats and fish.....	12	ounces
Salt pork, lard, suet, etc.....	$\frac{1}{2}$	"
Flour, rice, etc.....	12	"
Oatmeal, cornmeal, hominy, barley, etc.....	$1\frac{1}{2}$	"
Peas, beans, cheese.....	1	"
Potatoes.....	12	"
Vegetables.....	6	"
Sugar.....	3	"
Dried fruits.....	1	"
Milk.....	16	"
Butterine.....	1	"
Eggs.....	$\frac{1}{4}$	"

This is intended to yield: proteid, 110 grams; fat, 100 grams; carbohydrates, 421 grams; calories, 3107; and to cost, exclusive of tea, coffee, etc., ten and three-fourths cents at present market rates in Boston.

The report states that the cost for all these dietaries is liberal for numbers over three hundred and in practice should fall well within the limits. "The amounts called for apply to the *raw material* and are sufficient, provided the food is well prepared and utilized by the inmates. The estimates allow for a necessary and normal waste of ten per cent of proteids and carbohydrates in the preparation, but assume that the fat is used in one form or another. The meat must be fresh, of medium fatness, and the raw materials in every case of good quality. Graham or whole wheat bread should be used when possible, especially for children. Molasses may be substituted for sugar when it is considered economical, or otherwise desirable to do so, in the proportion of one and one-half ounces of molasses to one ounce of sugar."

Labor Legislation in Pennsylvania.—The legislature which has just adjourned passed several bills in the interest of labor which have received the governor's signature. Among them was an eight-hour bill, which provides that eight hours out of twenty-four shall constitute a legal day's work for workmen, mechanics and laborers in the employ of the state or any municipal corporations therein, or otherwise engaged on public works. This applies to contract work as well as that done directly in the employ of the state. The act also provides that in all such employment none but citizens of the United States, or aliens who have declared their intention to become such, shall be employed, and all such employes must have

resided in the state six months preceding the date of such employment. Any public officer violating this act is guilty of malfeasance in office and may be removed by the Governor or head of the department to which said officer is attached. If any person contracting with the state or any municipal corporation violates this act, he is liable to a fine of one thousand dollars.

Another act is known as the "Anti-Pluck-Me-Store Bill." This act is aimed at a grievance that has had its chief seat of activity in the oil and coal regions of Pennsylvania, and we therefore quote the act in full as follows:

AN ACT to tax all orders, checks, dividers, coupons, pass books or other paper, representing wages or earnings of an employe not paid in cash to the employe, or member of his family; to provide for a report to the Auditor-General of the same; for failure to make reports and reward to party informing Auditor-General of failure to report.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same, That every person, firm, partnership, corporation or association engaged in operating oil or gas wells, conducting oil or gas in pipes, operating quarries, operating canal, steamboat, ship, steamship, ferry transportation, towage, paving, macadamizing, steam heat, steam power, telephoning, telegraph, express, electric light, electric railways, railroad, cable road, water or gas companies, mining or manufacturing, shall, upon the first day of November of each and every year, make a report under oath or affirmation to the Auditor-General of the number and amount of all orders, checks, dividers, coupons, pass books or other paper, representing the amount in part or whole of the wages or earnings of an employe, that were given, made or issued by him, them or it for payment of labor and not redeemed by the said person, firm, partnership, corporation or association giving, making or issuing the same, by paying to the employe, or a member of his family, the full face value of said order, check, divider, coupon, pass book or other paper representing an amount due for wages or earnings in lawful money of the United States, within thirty (30) days from the giving, making or issuing thereof, the honoring though of said order, check, divider, coupon, pass book or other paper representing an amount due for wages or earnings by a duly chartered bank by the payment in lawful money of the United States to the amount of said paper representing an amount due for wages or earnings is a payment, and he, they or it shall pay into the treasury of the commonwealth ten (10) per centum on the face value of such orders, checks, dividers, coupons, pass books or other paper representing an amount due for wages or earnings not redeemed as aforesaid, and in case any person, firm, partnership, corporation or association shall neglect or refuse to make report required by this section to the Auditor-General on or before the first day of December of each year and every year such person, firm, partnership, corporation or association so neglecting or refusing shall pay as a penalty into the State Treasury twenty-five (25) per centum in addition to the ten (10) per centum tax imposed as aforesaid in this section on the face value of all such orders, checks dividers, coupons, pass books or other paper representing amount due for wages or earnings not redeemed by paying the employe or a member of his family in lawful money of the United States in thirty (30) days by the person, firm, partnership, corporation or association making, giving or issuing the same. The honoring of paper representing wages or earnings by a bank is a sufficient payment.

The so-called "Weiler Bill" is an act to protect employes of corporations in their right to form, join or belong to labor organizations by prescribing penalties for an interference therewith. This act makes it illegal to exact as a part of the labor contract any pledge not to form or join or belong to a lawful labor organization. The penalty for any violation of the act is a fine of not more than two thousand and not less than one thousand dollars and imprisonment for a term not exceeding one year or either or both in the discretion of the court.

The Prison Bill is interesting in many ways and we give the text in full:

AN ACT limiting the number of inmates of state prisons, penitentiaries, state reformatories and other penal institutions within the State of Pennsylvania, to be employed in the manufacture of goods therein, and prohibiting the use of machinery in manufacturing said goods.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That from and after the passage of this act no warden, superintendent or other officer of any state prison, penitentiary or state reformatory, having control of the employment of the inmates of said institution, shall employ more than five per centum of the whole number of inmates of said institutions in the manufacture of brooms and brushes and hollow-ware, or ten per centum in the manufacture of any other kind of goods, wares, articles or things that are manufactured elsewhere in the state, except mats and matting, in the manufacture of which twenty per centum of the whole number of inmates may be employed.*

SECTION 2. *That the officers of the various county prisons, work houses and reformatory institutions within the Commonwealth of Pennsylvania, shall not employ more than five per centum of the whole number of inmates in said institution in the manufacture of brooms and brushes and hollow-ware, or ten per centum in the manufacture of any other kind of goods, wares, articles or other things that are manufactured elsewhere in the state, except mats and matting, in the manufacture of which twenty per centum of the whole number of inmates may be employed, provided, this act shall not apply to goods manufactured for the use of the inmates of such institutions.*

SECTION 3. *That no machine operated by electricity, hydraulic force, compressed air, or other power, except machines operated by hand or foot power, shall be used in any of the said institutions in the manufacture of any goods, wares, articles or things that are manufactured elsewhere in the state.*

SECTION 4. *Any warden, superintendent or other officer or person having control of the employment of inmates of any of the within mentioned state or county institutions or other penal institution or institutions wherein convict labor is employed, within the State of Pennsylvania, violating the provisions of this act shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be sentenced to pay a fine not exceeding one thousand dollars or undergo an imprisonment not exceeding one year, or both, at the discretion of the court.*

SECTION 5. *This act shall take effect on the first day of January, one thousand eight hundred and ninety-eight.*

The Prison Bill had the active support of the labor organizations,

and yet in light of recent investigations into prison management in Pennsylvania it seems as if this was beginning a reform at the wrong end. Some restriction of the competitive features of prison labor is doubtless desirable, but it is difficult as it is for the prison warden to supply labor to his inmates and without it prison management is inhumane and unproductive of the best results in which the workingman is as much interested as anyone else.

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